$ 1.00

STREET SPIRIT

Volume 3, No 3 March, 1997

JUSTICE NEWS & HOMELESS BLUES IN THE BAY AREA

The Lost Children of the Poor

Santa Cruz Child Protective Services has a disturbing pattern of confiscating the children of homeless mothers



This icon **by artist Robert Lentz depicts the Madonna as an African-American mother of those on the streets. Her garments, and those of her Son, are covered with jewels and gold, revealing the hidden worth and dignity of homeless people, who are living icons of God. A society which pretends to honor motherhood, yet mistreats poor and homeless mothers, has assaulted the most sacred of bonds.**

by Becky Johnson

Dominican Hospital is the most dangerous place to give birth in Santa Cruz County if you are poor or homeless. Ask the homeless and poor women who have had their newborn babies "removed" by agents of the Child Protective Services (CPS).

On December 3, 1993, Heather Hanson, a woman on SSI, gave birth to a nearly eight-pound, healthy, biracial baby girl. Heather had been seeking the services of midwives and was planning a home birth; but her daughter was born six weeks early, effectively ruling out a home birth.

So Heather delivered at Dominican Hospital, only to have her baby taken away when only four days old. Ethyl Lewis, a longtime CPS worker, and Deputy Sheriff Don Kester wrenched her baby from her arms shortly after birth. Later, Lee Gulliver, attorney for her child, wrote the papers to make the seizing "official." Heather has seen her baby only once when she was three months old, and her daughter is still living at a foster care home at an undisclosed location in Watsonville.

Did Heather kill someone? Was she criminally insane? No. She had lost her son, now age seven, in New York State, and Child Protective Services in Santa Cruz reasoned that if she lost one baby, she should lose the next.

Surely there is an epidemic of abuse and neglect of children by their parents, sometimes justifying government intervention into family life. Yet the alternative — placing children in foster care — is questionable. In as many as 50% of cases, care is less than adequate. Reunification rates are alarmingly low. Whether the government can do a better job than stressed-out parents is seriously in doubt.

Was Heather unfit to raise her son? Her brother, who resides in Oxnard, thought not. "Heather is not the same person now as she was before CPS took her babies," he said. "She has undergone a major personality change. She would never have been abusive to her children. She could have cared for them herself, if she had been given a little help." He added, "Heather is mentally ill and belongs on SSI. She has low tolerance to stress. But she should not have lost her babies."

Tama Perlman and her fiancee, Gideon, whose portrait appeared on the cover of the October, 1996, *Street Spirit* (when Tama was pregnant), gave birth to a healthy, beautiful baby girl on Jan. 13, 1997, at Dominican Hospital. Perhaps because Tama had been homeless for much of her pregnancy, she had been repeatedly tested for drug use at all eight of her prenatal visits through the Santa Cruz County Health Services Agency. All eight tests were negative.

At the birth, Tama and her newborn daughter were again tested for drugs. Both tests came up negative. Yet, 24 hours after giving birth, J.M. Rodrigues of Santa Cruz CPS arrived at the hospital with a uniformed sheriff's deputy to take Tama's baby into "protective" custody because the baby was "exhibiting symptoms of withdrawal."

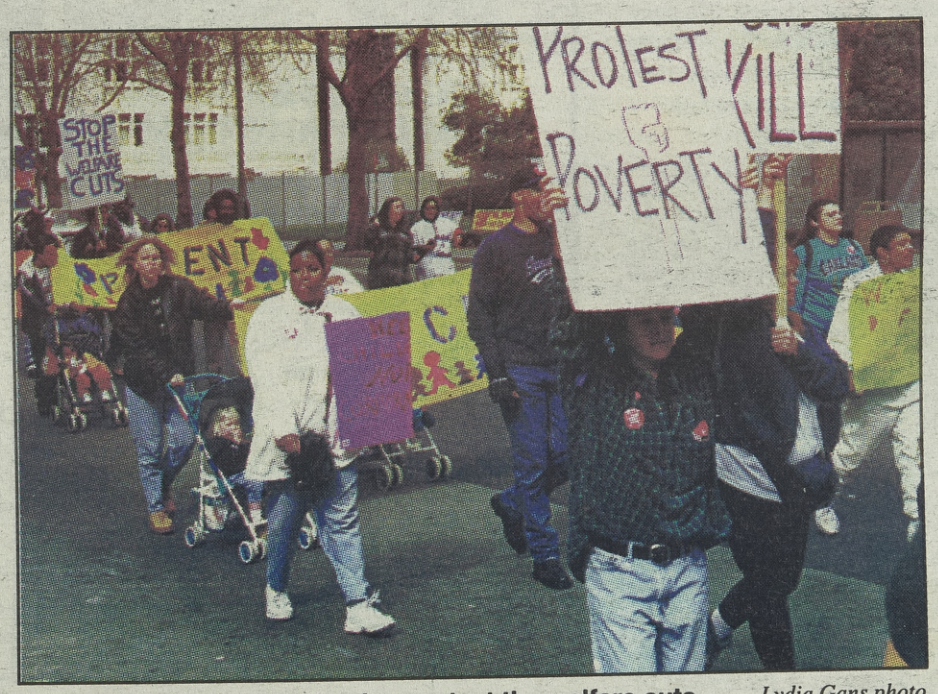
"It was a shock," Tama said. "I'd just had a baby. I was really exhausted. It was like I was in a dream — a nightmare." There was some evidence of fetal distress at the birth, as meconium was present. The staff told Tama they needed to clean the

See Lost Children page 13

Marching for Justice

"Sooner or later, we will have a better day, and there's nothing the politicians can do about it."

— 11-year-old boy at the march



A spirited march **in Oakland to protest the welfare cuts.** *Lydia Gans photo*

By Tanya L. Brown

On March 1, I gathered with about 1,000 concerned citizens of our community to march for justice through downtown Oakland. What makes this so special for me is that this was my first protest march. In my culture, my father, grandparents and other family members were involved in the civil rights struggle. For this to happen in my generation leads me to believe that America is still in dire need of help.

The march was held to show the government that poor people are not just going to stand by and be persecuted. They do have a voice, and when we join together, it grows stronger. People came out from all over the Bay Area to protest the cutbacks in welfare; but the march was not just about welfare cuts. It was also about how the government makes decisions that harm the underclass and sits back and gives the corporations benefits.

Here is a question: why do we live in a country that supports foreign aid, but can't afford to give adequate housing, food and a livable wage to American citizens? Why do we live in a country where senior citizens are growing poorer in leaps and bounds, and becoming homeless?

The march for justice began at 11:00 a.m. at the federal building, than proceeded to City Center in downtown Oakland. I was amazed to see such a variety of so many people from many different organizations, families, immigrants, senior citizens, people of different races and religious backgrounds.

I saw oversized puppets that displayed many corporate figures who share responsibility for injustice. Puppets of President Clinton and Gov.

See Marching for Justice page 7

to the authorities

by Eileen Corder

please don't tell me where to sit
or that I can't sit
or lie down

I've given life
I know that it splits you in two
that children are born innocent
and suffering will never be
completely eliminated

don't tell me where to sit
conscience rises higher than your stick
that sort of thing no longer intimidates me

deluge

by Eileen Corder

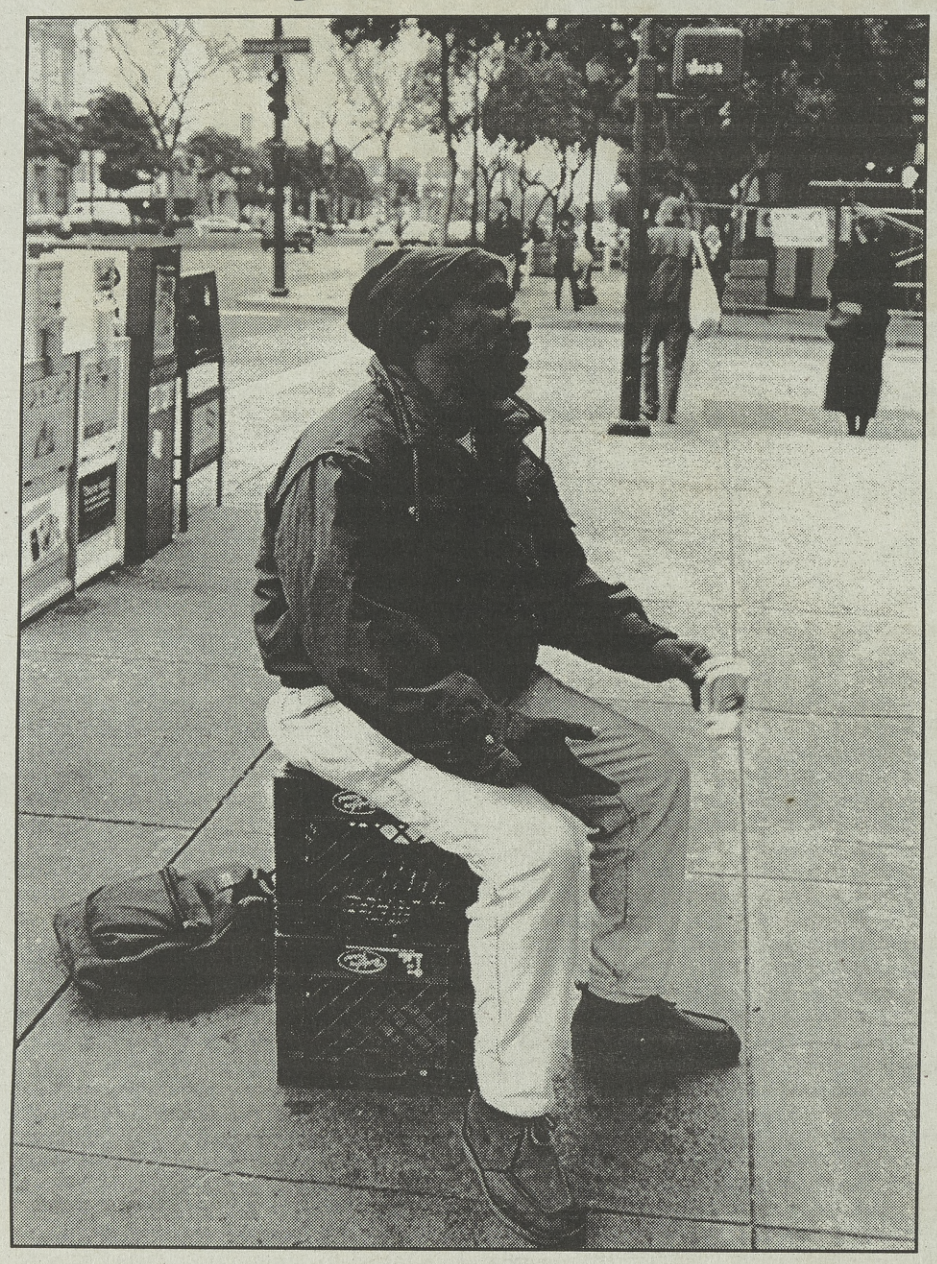
above our heads the sky darkens into a dream
that always was America

on the corner, hanging by a thread
of ink
men and women
prop themselves
with cardboard signs

every corner, every street
they all lead to

Please

Berkeley Stalls on Repealing Anti-Poor Laws



Critics of Berkeley's Poor Laws contend that being poor and asking for help, as John Powell is doing here, should not be illegal. Lydia Gans photo

Under Berkeley's current statutes, "an innocent person begging with a cup would be just as punishable as an aggressive panhandler threatening people. I oppose criminalizing people asking for help."

— Councilmember Kriss Worthington

by George Franklin and David Glaubman

The Berkeley City Council declined at its February 25th meeting to take steps to repeal anti-panhandling ordinances that are the starkest legacy of Mayor Shirley Dean's "clean up Berkeley" campaign.

Portions of Berkeley's anti-panhandling laws, which were passed in the wake of 1994's narrowly approved Measure O, have been challenged by the American Civil Liberties Union. [See *Street Spirit,* December, 1996.] With this legal challenge still unresolved, Berkeley City Councilmembers declined to speak publicly about the matter, which they say must be considered in "closed session."

Berkeley-based civil-rights attorney David Beauvais, upon learning that the councilmembers were refusing to make public comments on the matter, commented that while the litigation aspects pertaining to the ACLU lawsuit might need to be discussed in closed session, "the public policy aspects, as to whether they should repeal the ordinance, should be dealt with in a regular meeting. They should be pressed to do that."

Attempts by liberal members of the council, such as the newly-elected Kriss Worthington and Margaret Breland as well as progressive stalwart Maudelle Shirek, to repeal the worst provisions of Berkeley's anti-poor ordinances have apparently stalled over both tactical maneuvers and lack of a five-vote majority.

Part of the hesitation to repeal the repressive laws may be a tactical move. The ACLU's legal challenge is still pending and, if successful, would nullify parts of Berkeley's so-called Poor Laws. If the laws were to be repealed now by action of the council, the challenge would be moot, and could not be used as a precedent in other cases. If, however, the ACLU and the city government can agree on a resolution while the laws are still in effect, civil libertarians may be able to cite this compromise in dealing with other cities.

CITY PRESSURE AGAINST REPEALING

However, Osha Neumann, a local attorney who has defended people arrested under anti-homeless laws, said that he thought the pressure against repealing the ordinances is coming from within the city government. "There is a lot at stake in salvaging something of these laws, or it will look like the city wasted a huge amount of resources and wound up backtracking," Neumann said. "It's basically politics at this point."

The tactical maneuvering affects recently-enacted laws against sitting on sidewalks and against nighttime panhandling. There are presently at least four solid votes to repeal these provisions: Councilmembers Shirek, Worthington, Breland and Dona Spring.

The fifth vote for repeal could potentially come from Linda Maio. Yet in the past,

See **Berkeley Poor Laws** *page 14*

Alameda County Supervisors Tell the Poor:
Try Surviving on $663 a Year

Limiting GA benefits to three months a year will leave countless recipients with nowhere to go but the streets

by Linda Shih & Edward Barnes
Berkeley Community Law Center

George Hall is worried. He will lose his $221 a month General Assistance check at the end of March. Already he is having trouble paying for the small hotel room he shares in downtown Oakland. Will he wind up on the streets? "A man my age doesn't last long out there," he observes. "I don't know what I'll do."

Why is George losing his only source of income? Because the Alameda County Social Services Agency has determined that he is "employable."

George agrees that he can still work. But he is 50 years old, and discouraged about his job prospects. He used to work as a warehouseman for the Dole cannery near his old apartment in East Oakland. The factory closed years ago, as did many others in a wave of plant closures in Oakland that eliminated thousands of blue-collar jobs.

His back hurts, and he can't do the heavy lifting he used to do. It's hard to get around, because he doesn't have a car. He has done odd jobs since he lost his "real" job, but hasn't had anything permanent in many months. "I can work, but I can't find a job," he sighs. "Is that a reason to put me on the street?"

George is not alone. The Social Services Agency (SSA) estimates that, at the end of March, it will cut 1,800 Alameda County residents off General Assistance (GA) because they are "employable," whether there is a job out there for them or not. George is a composite figure, a representative of those 1,800 people and the problems they face. They don't know where to turn.

What has happened?

GA IS CUT TO 3 MONTHS A YEAR

Alameda County has implemented a law which puts time limits on the receipt of GA. Many GA recipients will no longer receive benefits every month; it will all depend on how "employable" the County finds that person. Everyone must undergo an employability assessment by the Social Services Agency to determine how much they may lose.

There are two categories of "employability" that impose a time limit. SSA may find people to be "Job Ready," which means that they are ready right now to work in an entry level or higher position. People in this category will receive a maximum of three months of benefits in a 12-month period. This means that people who received GA on January 1, 1997, will receive a GA check only for the months of January, February, and March. Then they will be discontinued and not eligible to reapply for benefits again until January 1, 1998.

Alternatively, SSA may find that, although some people may be potentially employable, they face major barriers. These barriers could be limited English skills, major physical, mental, or developmental disability, homelessness, or drug or alcohol problems. SSA says

See **GA Cuts** *page 15*



BORGMAN/from the Cincinnati Enquirer

Anatomy of a Sellout: Willie Brown Burns His Allies

San Francisco mayor betrays his commitments to tenant groups and homeless activists

Editorial by Ted Gullicksen

For nine months in 1996, I let myself get fooled into thinking that Mayor Willie Brown really did care about ending homelessness and solving San Francisco's affordable housing crisis. By the fall of 1996, I realized I was wrong, wrong, wrong.

Let me preface this story of how I got led down the road by Mayor Brown by noting that I had greeted his candidacy with skepticism, remembering that his decades in the legislature were not marked by advocacy for affordable housing or tenants rights or poor people. I was not overly impressed when Brown campaigned on a platform of ending the Matrix program of harassing homeless people or when he issued a 10-point "Tenants Bill of Rights." Nonetheless, given how bad former Mayor Frank Jordan had been on these issues, I was glad when Brown won and even held some small hope that maybe he really would work to end homelessness and solve the city's affordable housing crisis.

At the time, I was involved in two projects through the S.F. Tenants Union and Homes Not Jails, both of which needed support within the political system in order to succeed. The Tenants Union needed support for an ordinance to end hundreds of questionable evictions under the so-called "owner move-in" eviction cause. Homes Not Jails needed support for the group's efforts to acquire a vacant federally-owned apartment building at 3250 17th Street in San Francisco.

BROWN RENEGES ON OWNER MOVE-IN EVICTIONS

Owner move-in (OMI) evictions had long been problematic for the city's renters as landlords found these an easy way to get rid of long-term (rent-controlled) tenants or to by-pass the city's condo conversion laws by using this form of eviction to convert the apartment into a "tenancy in common," a form of condo ownership not covered by the city's condo conversion law (which limits conversions to just 200 per year). Over the years, nearly 10,000 tenants had been evicted for this cause and about 5,000 apartments had been converted into TIC condos.

Number one on Brown's Tenants Bill of Rights was ending abuses of OMI evictions. In February, 1996, we met with Brown to discuss the problem; he gave his support for the proposed ordinance after suggesting some changes, and told tenants: "Bring it to (newly appointed) Supervisor (Michael) Yaki for him to introduce and get lots of cosponsors."

The legislation was taken to Yaki, who agreed to sponsor it, and four other cosponsors were lined up by May. When the legislation was introduced in June, it had five Supervisors' names attached as cosponsors and acquiring the sixth vote needed for passage was a slam dunk.

Soon we realized we had jumped into bed with the devil. Sup. Yaki (rhymes with 'Brown's lackey') began stalling the legislation and it became increasingly clear that his actions were essentially dictated from the mayor's office. At this point, Brown began playing the tenants like a yo-yo. Yaki would stall, and tenants would protest to Brown who would then make Yaki move an inch or two — not enough to really move the legislation, but enough to placate tenants for a few more weeks until the scenario would repeat itself again.



***Housing choices* for the poor in San Francisco.** Art by Mike "Moby" Theobald

By summer, Brown had so successfully manipulated tenants that he was able to get them to agree to a deal: the eviction legislation would be passed before the November election if tenants agreed to temporarily assume the costs of general obligation bonds passed by the voters (as additional leverage, he held over tenants' heads that landlords planned to oppose the affordable housing bond in November unless tenants agreed to pay for it). After yanking this commitment from the tenants, Brown then convinced the landlords not to oppose the bonds, since tenants agreed to pay for them.

Thus Brown's bonds cruised to victory without opposition. But when it came time for Brown to live up to his end of the deal and see that the OMI legislation got passed, he instead told supervisors to postpone a September hearing which would have set an October vote on the issue.

For tenants, getting the vote before the election was critical. Tenants knew that supervisors had been collecting substantial campaign donations from landlords while publicly stating their support for the eviction legislation. Clearly these supervisors could not vote against the legislation before the election, but after they were reelected they would feel free to do so.

A SIT-IN AT BROWN'S LIMOUSINE

Angry tenants responded to the last-minute cancellation of the hearing with a loud, angry march through S.F. City Hall, culminating in the arrest of 12 tenants who sat in front of Brown's limousine when he tried to leave City Hall without talking to the tenants. The next day, Brown met with tenants in a meeting later reported in the *New Yorker* magazine. He told tenants the legislation would not be voted on until after the election because supervisors up for reelection had made promises to landlords, and getting his allies on the board reelected was more important than ending the eviction abuses.

It was clear that Brown had never had any intention of real support for the legislation. Rather, he saw the legislation — and tenants — as pawns he could manipulate, first to neutralize opposition to his bonds, and then to secure victories for his allies who campaigned as pro-tenant while assuring landlords behind closed doors that they would kill the legislation.

With just a few weeks left until the election, tenants tried to spread the word about the sellout by Brown and his allies. But, just as Brown had planned, there was inadequate time to spread the word, so Brown's allies got reelected by their false promises of supporting tenants.

Subsequently, the OMI legislation came up for a vote after the election. Supervisor Yaki, Brown's point person and the main sponsor of the bill, made the motion to kill the legislation and it went down to defeat with only two of the original five cosponsors voting for it.

BROWN BETRAYS HOMES NOT JAILS

Probably what Willie Brown hated most about Frank Jordan's homeless policies was that Jordan was politically naive. Jordan's high-profile efforts to arrest and harass people who were homeless did nothing to solve the problem, or even make it less noticeable. Jordan's policies led to almost weekly protests and regular news stories and, as a result, the people of San Francisco never forgot that the city had too many people who were homeless.

When Brown came in, he didn't stop the Matrix program (and by many accounts even increased it), but he did stop *talking* about Matrix and he hardly ever mentioned homelessness at all. The media stopped writing articles and, in a perverse way, homelessness began disappearing from public consciousness.

Brown still had the homeless activist community to deal with, though. One of these groups was Homes Not Jails which was occupying vacant housing every few months and usually getting a lot of media attention. Jordan was known to rant and

See **Brown** *page 15*

Street Spirit
Justice News & Homeless Blues
March, 1997

Street Spirit is a monthly publication of the **American Friends Service Committee.** Vendor distribution is run by the **Berkeley Emergency Food and Housing Project.**

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Acknowledgements

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My Brothers' Keeper

"If you can tie a shoelace, you can help make a sleeping bag. And a sleeping bag can save the life of a homeless person." — ***Eleanor Dugan***





Left, **Eleanor Dugan of San Francisco makes sleeping bags for the homeless on her sewing machine at home.** ***Above,*** **Becky Gordon cuts fabric for more bags.**

Women launch quilt groups and spread warmth to homeless people in San Francisco, New York, Arizona and Florida

Photos and story by Jan Spence

Flo Wheatley held her young son, Leonard, as he was vomiting and near collapsing. They were returning from the hospital and his daily cancer treatments. Flo and Leonard were a block from a subway station in New York City. It began to rain. Commuters rushed pass them.

Flo heard a voice say, "You need help, lady," and she looked up to see a homeless man wearing jeans, sneakers and a cutoff Army jacket. She felt a little fear and declined his help, saying, "No, we're okay." But the homeless man said again, "You need help, lady," and he picked up her suitcase and walked toward the subway. Flo and Leonard followed him and the three of them boarded the train. They all got off at Flo's station and the homeless man hailed a taxi for her.

"I pressed a five dollar bill into the man's hand before the cab pulled away," Flo said, "and I heard him say, softly, 'Don't abandon me.'" Flo has never forgotten his words.

Two years later, in 1985, Leonard, who had suffered from non-Hodgkin's lymphoma, was recovering miraculously. And in the small town of Hop Bottom (population 385), Pennsylvania, Flo Wheatley stitched her first sleeping bag, using her kids' outgrown clothing — jeans, shirts and sweaters. She and her husband drove into Manhattan and gave the bag to a man huddled in a doorway. She made eight bags that year.

News of her sleeping bags spread through the rural area and soon neighbors were dropping off fabrics at her home. A local church invited Flo to speak and to demonstrate how to make the bags. She named the family project, My Brother's Keeper Quilt Group; and so that volunteers wouldn't think it was too difficult, she called the bags Ugly Quilts. The grass-roots project continued to grow; women gathered to sew and to socialize. Many of the sleeping bags were delivered to Flo's garage for distribution; her garage door remains unlocked to accept deliveries. In 1992, more than 5,300 Ugly Quilts were distributed to homeless people and to shelters in Manhattan and other cities.

The Wheatley family created a single page of simple instructions on how to make a Crazy Quilt. The first step is to sew pieces of fabrics together to form a seven-foot square, then another one, and then join the squares together. Old drapes, blankets and mattress pads are added for padding, and men's neckties are used as handles. All the fabrics are recycled. These instructions are in high demand.

A mail crew arrives at Flo's home every Wednesday morning for breakfast and to open the mail bags. There are requests for instructions from all over the United States and other parts of the world. A missionary in Mexico asked for instructions to make a bag for himself and to teach others to make sleeping bags. American volunteers at an army camp in Germany sent news that supply planes had dropped "Flo-designed" sleeping bags to the refugees in Bosnia.

In Mesa, Arizona, they have just completed 2,000 sleeping bags. In Fort Ogden, Florida, they have made one bag every week for five years. Flo believes that more than 100,000 sleeping bags have been made since 1985.

Eleanor Dugan and Becky Gordon cofounded the San Francisco Group. By avocation, they are both quilters, having exhibited in regional shows and having gained some national recognition. But today, they are committed to making sleeping bags. "No buttons or zippers are used," Becky said. "It's simple. If you can tie a shoelace, you can help make a sleeping bag. And a sleeping bag can save the life of a homeless person."

The informal San Francisco Group meets in Eleanor's home, which looks like a warehouse now because her sense of mission to the homeless has taken over her own house. Hilton Hotels recently donated 200 bedspreads and mattress pads, filling her living room almost to the ceiling. Her dining room contains a large cutting table and a sewing machine. And there's a sewing machine in the kitchen.

"It is not Martha Stewart living," said Eleanor, "but these bags are literally the difference between life and death to some of the homeless. Back East, they call them the Ugly Quilts. Out West, we call them sleeping bags." Eleanor speaks and gives demonstrations at churches, schools, clubs, organizations and the S.F. County jail.

At a recent Bronx Community Center demonstration, Flo was expecting volunteers to come and make bags and distribute them to the homeless. Instead, homeless families arrived on the scene, including children. They spent the day making bags and they took the bags when they left, and slept in them that night.

"The basis of my life is in Christ," Flo declares. "Our work does not belong to any particular denomination. It is open to everyone. We appeal to people who understand the suffering of other people and have the ability to reach out."

For inquiries: please send a S.A.S.E.
My Brothers' Keeper Quilt Group
Route 1 Box 1049
Hop Bottom, Pennsylvania 18824

To volunteer in the Bay Area or donate, contact:
Eleanor Dugan
1024 Sacramento St.
S.F. CA 94108
(415) 433-7244

Churches to Increase Aid to Berkeley's Homeless

Collection barrels at churches may increase bulk food and free clothing greatly this year

by Tanya L. Brown

Each year, from 26,000 to 36,000 people experience some incidence of homelessness in Alameda County. In Berkeley, between 1,000 to 1,200 people are homeless at any one time, according to U S. census data. Of Berkeley's homeless population, 60 percent currently are on General Assistance, or seeking GA, and 15 to 20 percent receive SSI. A smaller percentage now use AFDC and Food stamps.

As cutbacks worsen, it is anticipated that several thousand Berkeley residents will be eliminated from receiving public assistance. These changes will increase the demand for basic needs, such as food, clothing, and shelter, and threaten to increase homelessness.

The Berkeley Ecumenical Chaplaincy to the Homeless, Berkeley Food Pantry and local congregations have joined together to form a citywide food and clothing barrel program. The Religious Services Collaborative with the Homeless is a new project linking more than 30 local religious congregations with the long-standing faith-based work of the Berkeley Ecumenical Chaplaincy's free clothing program and the Berkeley Food Pantry's grocery program. Currently, the Chaplaincy provides free clothing to more than 7,000 people each year through its free clothing store. The Food Pantry provides bags of groceries to 13,000 Berkeley residents each year.

The purpose of the Religious Services Collaborative is to maximize the efficiency of efforts to meet the increasing needs for emergency food and clothing in our community. The collaborative is just one step in helping low-income residents prevent homelessness from happening.

Collection barrels will be distributed at congregations throughout Berkeley. The goal is to involve 40-plus congregations by placing two barrels at each church, temple, or synagogue — one for bulk food and one for used clothing. The barrel system will provide a neighborhood place for residents to take used clothes and canned food, so that drop-off locations will be only a few blocks from home.

The Collaborative has applied for pilot funding from the City of Berkeley to support this project, including shared staffing and a vehicle which will be used for weekly food and clothing pickups at local congregations. Also, the Religious Services Collaborative will link congregations providing meals to the homeless with those wanting to do more outreach, in order to support groups needing more volunteers. And it will make limited bulk groceries available to families for distribution at local meals.

How can the community get involved? Write a letter or call your local city councilmember to get the council to pass funding for this efficient and needed service. Get your local church or temple to participate in the program.

Anyone can make a difference. Changes happen at the local level. The goal is to have the program in effect by September, 1997. I encourage you to get involved in helping organizations help the homeless. No one wishes to be homeless. It could happen to you!

To contact your councilmember to support the barrel program, call or write:

Mayor Shirley Dean (644-6484)
District 1: Linda Maio (644-6359)
District 2: Margaret Breland (644-6400)
District 3: Maudelle Shirek (644-6243)
District 4: Dona Spring (644-6266)
District 5: Diane Woolley-Bauer (644-6294)
District 6: Betty Olds (644-6399)
District 7: Kriss Worthington (644-6398)
District 8: Polly Armstrong (644-6401)

City Administration Building, 2180 Milvia St., 5th Floor, Berkeley, CA 94704

For more information about how you can support the new barrel program, write: Chaplaincy to the Homeless, 2345 Channing Way, Berkeley, CA 94704, or call: (510) 548-0551.

'No Sit/No Lie' Law Means No Room for the Poor

Proposed Palo Alto ordinance would drive street people out of affluent downtown area

Shall those of us lucky enough to have a roof over our heads and a regular source of food approve an ordinance aimed at further harassing those who have somehow been surviving a cold and rainy winter without housing of any kind?

by Purusha Obluda

The lawmakers and "leaders" of perhaps the most affluent small city in the United States, Palo Alto, are considering a proposed ordinance that would make it a crime to sit or lie on University Avenue in the downtown area from 11 a.m. to 11 p.m.

The next public discussion of city policy toward the poorest of the poor is set for Monday, March 18, at 7:00 p.m. at the City Hall on Hamilton Avenue and Bryant Street. Subject: shall those of us lucky enough to have a roof over our heads and a regular source of food approve an ordinance clearly aimed at further harassing the 150 or so human beings who have somehow been surviving a cold and rainy winter without housing of any kind.

Palo Alto's proposal is called "No Sit/No Lie," and would apply only to the sidewalk on several blocks of the main downtown drag, trendy and successful University Avenue. It's already a crime to sit or lie anywhere in Palo Alto that would block traffic in any way; the new law would allow the recently beefed-up downtown police patrols to bypass the requirement that the person sitting on the ground actually be causing an obstruction to passersby.

The proposal has been in the works for nearly a year as City Attorney Ariel Calonne tried to find wording that would pass court challenges. On January 21, Calonne told the Palo Alto City Council that his latest effort might (or might not) pass judicial muster since he has now set out three small areas where people may sit with signs and engage in the protected activity of exercising their free speech right to ask for help in staying alive.



Palo Alto **Food Not Bombs sets up a meal outside City Hall.** Lydia Gans photo

Calonne guessed that court tests, certain to follow if the council passes the No Sit/No Lie law, might cost the City "$20,000 to $50,000" to fight, an estimate that brought gales of laughter from a full council chamber. He was genuine enough to avoid saying that he was sure it would pass constitutional objections.

About 20 of the more than 50 opponents of the law who signed up for three minutes of free speech actually were heard. The only two who supported the ordinance were officials of the Chamber of Commerce; every other speaker gave strong testimony as to the inhumanity and unconstitutionality of the proposed laws.

Those who signed up in January will be allowed to present their arguments on March 18; others are shut out from speaking, but can attend the meeting and add their presence to the opposition. The Palo Alto chapter of Food Not Bombs will, as usual, serve free vegan food at 6:30 p.m. at the City Hall and "outside (and inside) agitators" are welcome.

Other groups helping organize against the No Sit/No Lie ban include the Stanford Homelessness Action Coalition, (SHAC), members of the Palo Alto Task Force on Homelessness, and others.

How serious is the problem of people of any kind blocking the foot traffic of the trendy University Avenue? Has the city suffered in the nearly year-long period of study and delay? Here are some of the things I've noticed and heard in helping Food Not Bombs serve the street people and in the fight to get the city to treat its poor with greater compassion:

❖ In the last year there have been *no* citations issued for blocking the sidewalk. Police Chief Chris Durkin admits he has no record of *any* complaints of anyone tripping or falling over persons sitting on the street in recent years. Proponents say that even though there have been no complaints, the ordinance is needed to give police another weapon in case conditions deteriorate.

❖ Recently, Palo Alto has become a fashionable spot for everyone to hang out, from yuppies and affluent students to patrons of excellent and very expensive restaurants. Retail business downtown is up 16% over a year ago.

❖ Sidewalk cafes dot the area, with businesses allowed to pay the city for the right to put tables and chairs on the sidewalks. Many of the cafes and businesses using the city thoroughfares to increase their trade are far behind in paying their blockage assessments.

❖ The main action taken by the city in dealing with the poor during the past year has been to add five new police officers to patrol the area, at a cost of more than *$240,000 a year. The city spends nothing*

See **No Sit/No Lie** *page 14*

Santa Cruz Convicts the Homeless of 'Sleep Crimes'

by Robert Norse

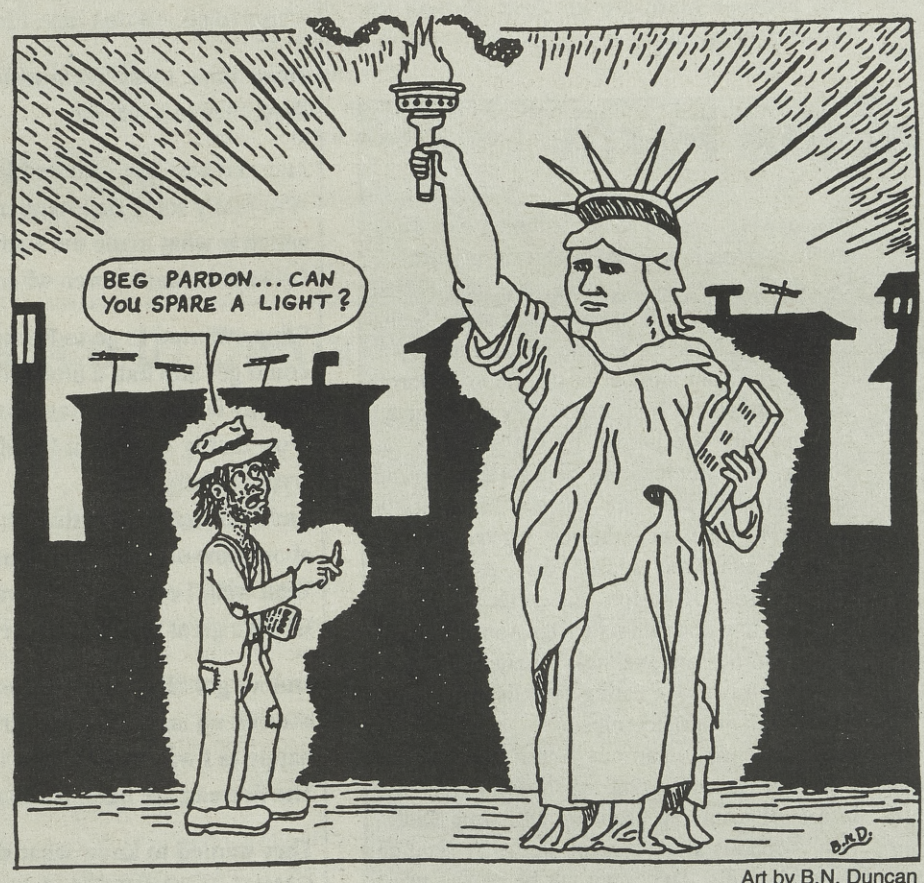
Santa Cruz homeless activist Robert Flory was fined $1800 in the first big Sleepcrime trial of the year, on January 17. Last spring, during the City Hall Sleepers Protest, Flory was arrested repeatedly for sleeping at the vigil in resistance to the city's anti-homeless Sleeping Ban.

In the first month of the seven-and-a-half month protest, then-Mayor Rotkin and Lieutenant Haebe told Flory several times that he would be arrested for merely being present at the vigil after 11 p.m. — asleep or not. At his two-day trial, Flory was not allowed to present defense witnesses to testify that police selectively ticketed protesters, while ignoring other homeless people half a block away.

Flory was sentenced to pay $75 for each time he fell asleep or covered up with blankets at Santa Cruz City Hall — 24 times in all. That peaceful protest sought to awaken the conscience of the City Council in a town with a liberal reputation, an anti-homeless Sleeping Ban, and no legal place for most homeless people to sleep (even outdoors).

Flory says he will ask Barton to order community service with the local Food Not Bombs group, at which he has put in thousands of hours in the last five years. In the past, Flory has been jailed for principled refusal to do community service for protest citations, arguing that the law does not allow jail for infractions.

Downtown activist "QZ", whose home is a van, got a stiffer sentence from Judge Robert Atack later that month. Atack, nicknamed "artichoke-heart" after he gave a 45-day sentence to activist Sandra Loranger for serving the homeless free food in 1989, gave QZ two $162 fines for "sleeping" in his van — once outside a house where he was doing work, once when he claimed he wasn't asleep at all. QZ unsuccessfully argued he was due a prior warning to leave, which he did not receive. Atack ruled the warning section did not apply.



Art by B.N. Duncan

Those who have the temerity to be found asleep outdoors or covered with a blanket within the city limits after 11 p.m. are usually given $162 fines. The law under the spotlight is the Santa Cruz City Sleep Ban, a section of the larger Camping Ban enacted in 1978 and enforced selectively against homeless people, protesters, and protest leaders.

Sandrea Roth, a non-homeless civil rights activist, also was found guilty of 12 counts of sleepcrimes at the vigil and was sentenced to $100 per count. If she succeeds in paying off the fines, she still faces more serious misdemeanor sleep-

The sheer spectacle of homeless people going to jail for innocent sleep may have an impact on the community. As the Winter Shelter closes down and the City Council continues to ignore basic shelter needs, the pressure of increased misery may provoke renewed protest.

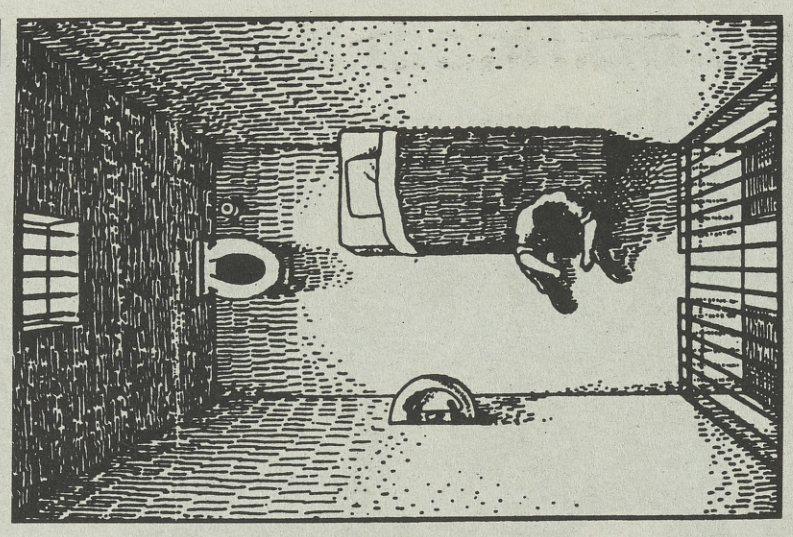
crime charges in late March. Hers will be the first jury trial ever held in Santa Cruz County for a misdemeanor violation of the Sleeping Ban. She is an articulate, outspoken, environmental activist also involved in civil disobedience up in the northern California Headwaters struggle.

The Sleeping Ban has always been treated as a minor infraction not involving jail sentences. Police capriciously and vindictively jailed activists for misdemeanors in the past, but charges always disappeared before trial. Why? Misdemeanor cases allow poor defendants the right to free legal counsel and a jury trial. They are costly, time-consuming, and politically more volatile than infraction trials, which take a fraction of the time and happen before a judge sitting without a jury.

They also raise the specter of jury nullification: the right of a jury or just one juror to say "not guilty" even if a defendant is technically in violation of the law. If a juror believes the prosecution is malicious,

See **Santa Cruz Sleepcrimes** *page 15*

Jailed for Activism in Santa Cruz



by Laura Tucker

On January 13, David "BD" Dumars was ordered to begin serving a 45-day sentence in Santa Cruz County Jail. BD is known for supporting the organizing efforts of Santa Cruz low-income and poor people. He is a Refuse & Resist organizer and a family man.

Three years ago, Santa Cruz police, in a significant case of police brutality, attacked him near a display and demonstration by homeless activists in downtown Santa Cruz. While BD was pinned on the ground by police, Sergeant Aluffi sprayed pepper gas into both his eyes from six inches away, resulting in temporary blindness and permanent eye damage. Luckily for his overall health, one quick-thinking homeless activist, Kim Argula, grabbed water and doused BD's pepper-sprayed face before police could cordon off others. Of course, the police carted BD off after their assault.

Contrary to "police procedure," he was denied any medical attention whatsoever while in custody. The following day, the whole scene was repeated inside the Santa Cruz Coffee Roasting Company. This time, Sergeant Upton, the Santa Cruz Police Department's resident expert on pepper gas, according to BD, walked up to him and threatened to pepper spray him as he was standing in line to buy a cup of coffee.

When Sergeant Upton waved the gas canister in front of his face, BD ducked, burying his face in his jacket. Still, Upton sprayed him with the dangerous and sometimes fatal pepper spray, hitting two City Parks and Recreation employees who were 15 feet away. These park employees, having already been warned by the police that an altercation was planned, had moved back to drink their coffee. But they were unsuccessful at getting out of the policeman's line of fire.

To sanction and reinforce the police brutality, the District Attorney filed an array of charges, including two counts of resisting arrest, battery, and criminal vandalism; the case was tried in Judge Barton's court. After a three-year-long court battle, and in spite of the brutal assault having been clearly caught on video camera, the judge and prosecutor were able to make one of the charges stick.

BD was convicted of inscribing sentiments on the side of a *Santa Cruz Sentinel* newspaper box: "Their New World Order Has a Third Reich Odor." Merely writing a slogan became "criminal vandalism," and the judge gave BD a 45-day jail sentence, stipulating no work release. BD began his confinement on Jan. 25, 1997, at the Santa Cruz County "Main Jail." A week later he was transferred to the Santa Cruz County Roundtree Lane Sheriff's Facility, 20 miles south in Watsonville. This medium-security jail is known by all as "The Farm."

In the Main Jail, BD was housed in F Dorm, in an always overcrowded, spider-shaped building across the street from the Courthouse. That jail is rigidly segregated. Prisoners BD encountered in F Dorm were largely in jail for a variety of relatively minor charges — drug use, DUIs, criminal vandalism and so forth.

The Main Jail also holds in limbo prisoners who have been given sentences that can't be carried out by the County. For example, a person ordered in court to go to an alcohol recovery facility may find themselves in the Main Jail because there are no open beds in the recovery program.

Rehab, Down at the Farm

One day when I was out on the road crew, a young dude walks up and asks, "How do I get a job like this?" I answered, "All you gotta do is get convicted." Life is so good out here that 19-year-olds come up to prisoners to ask us for jobs. That is what The Farm is rehabilitating us for.

by David "BD" Dumars

Others have written about laws that violate the civil rights of homeless people to sit down, to sleep, to table at night, or to panhandle. I wish to bring up a more fundamental and controversial issue: the right to shit. Depicting homeless people as uncaring, slovenly and generally disregarding the necessity for public health is fundamentally bigoted.

Talk about people pissing and defecating on the sidewalk — why are we not targeting tourists heading for the bars? People walk out totally drunk and piss against the nearest wall, then stumble home untouched by the police. Folks in jail talked about this whole thing and pointed out what is *not* occurring: people are definitely not being incarcerated for public drunkenness when they leave a bar loaded to the gills.

Yet a high percentage of people in jail are repeatedly arrested and ticketed. Are these people who cause a lot of trouble? No. They are just people who fit a certain profile — Native Americans, the unshaven, long-haired folk, poorly dressed people. And some Santa Cruzans are there for getting well-known.

A significant number of people in F Dorm, where I stayed at first, assert they are targeted because they are known by the police — as young, as homeless, as being seen around drug activity. They are not just incidentally run into by the police; the very same cops pick them up again and again. Laws, particularly laws against urination and defecation, are enforced in a discriminatory fashion. The only toilet facilities are available where people are spending money, in eating establishments and other small proprietorships.

It's not just clean-cut American families who find themselves on the streets. Not a shot in hell of resolving problems like drug addiction, alcoholism and mental illness by sending them into jails. They may not be on the street trying to shield themselves in merchants' doorways, but even though you don't see them, they're still there. All you're doing is criminalizing people, aggravating their problems. A guy called The Hippie was gone for two weeks and got thrown back in jail for petty theft. He said the police were intentionally looking for him because he said things against the new laws attacking homeless people. Ron, an older, bearded fellow, in County Jail 300 times, said he spends every winter in jail.

See **Down at the Farm** *page 14*

NO TRAUMA

by Jeremy Ginzberg

flying up martin luther grove on my bicycle, I see the many layered parachutepanted guy, billowing, having a hard time.
He slowly falls to the street, hanging on to the lamppost, and lies there with his fuzzy matted auburn head, a torso length into the street.

I'm late. I'm late to walk the dog.
I'm late because I spent too long at the gym.
I'm late because I spent too long looking at expensive apartments.
Apartments that cost a whole SSI check.
now that's not fair
they get medi-cal and food stamps
and if they would just get on the section 8 list and be patient they could get their own
Apartments with three rooms — four would be nice.
Apartments just for me, me and my books and my toys.
Me and my book about my job.
The job I had trying to help people. People like this guy

I pull over, and he's done it again.
Pulled himself halfway up, and then fallen back into the street.
He's goin' for number three — or three thousand — and I say

"Hey man, c'mon, lemme help you get outa the street. C'mon now, let's get outa the street. And he says something I can't hear.
Well I can hear it, but it's soft and I can't understand it and I say so.
And he says it again and again.
And I'm shaking my head and trying to get him outa the street.
Holding him under the shoulders and trying to lift him up.
But it's like his feet are in slippery goo, and we keep sliding down to the street.
The street I want to get him out of, the street I want to get ME out of,
Out of the street and out of his life

I want you to go to Joe's Liquors and ... he tails off
Well that is just great. The dog's probably shitting on the carpet, and this drunk wants me to help him die fast. Or faster.

I haven't got time to go buy your booze for you
But it's just across the street, Joe's liquor.
C'mon it's just ... he mumbles something, plaintively
I AM NOT going to buy booze for you.
So c'mon can we get you outa the street?

Then this black guy shows up, and he asks Mr. Slippy where he wants to go. All this time I had the fence twelve feet away as a goal.

These guys, I was living with these guys, and they took me here and they, they just left me

And that was just so horrible that I didn't even remember to say,
"I'm really sorry that happened to you,"
which is what made me such a good enough advocate.
I always meant it, even when I hated my clients

Slippy wanted to go to Berkeley, and I said to the black guy that we could get Slip half a block to the bus stop.
But my fellow samaritan was gonna drive him.
Wow that is wonderful I said, and the samaritan said he was just trying to help out.
And I muttered something to the samaritan,
about how ole slip needed more than a ride.
Yeah well, I can't save the world you know.
Hey it's great that you'll give him the ride.

and we got Slippy up and he slippyed again, and then the emts showed up and so did the firemen and my fellow samaritan was as happy as I was, which wasn't very happy.
The fireman are here, it's in their hands, we said at the same time.

They wanted to know what we knew, and I said, to my eternal shame GAMMA ALCOHOLISM. I dunno if Slip heard me, but he sure coulda.

I hung for a few, since rescuers are often shits. These guys and gal were dispassionate, but quite nice and not judgmental.
They were doing the old differential diagnosis bit.
Did you hit your head? Slip mumbled, noncommittal on the subject of head trauma.

Did he hit his head?
I told them there hadn't been any trauma
No trauma in the falls that I'd seen

No trauma

Tenants Fight Slum Conditions in Oakland Hotel

The court ordered hotel owners to repair all 21 safety and health code violations; now tenants have sued



Lydia Gans photo

***Katherine Goldsmith,* right, and other tenants have filed suit against the Will Rogers Hotel.**

by Katherine Goldsmith

Tenants of the Will Rogers Hotel, a single-room-occupancy (SRO) hotel in downtown Oakland, won another victory this February against owners Antero and Antonieta Caillaux.

But first, a little background on our long struggle for more humane conditions at the hotel. Two years ago, I began refusing to pay rent at the Will Rogers because of the uninhabitable, slum-like conditions they maintained at the hotel. When the owners refused to repair the deplorable conditions and tried to evict me, tenant-rights attorney Jay Koslofsky defended me in Alameda County Municipal Court. The result was a heartening success.

The Municipal Court ordered the owners to repair and correct all 21 safety and health code violations that had been discovered by City of Oakland Enforcement Inspector Gary Groves. The 21 city code violations included: two open waste-lines in the lobby which emit sewer gas; non-functioning toilets; unsanitary garbage rooms on every floor; lack of hallway lighting; inoperative and damaged showers; no privacy locks for shower rooms; improper electrical wiring; no functioning smoke detectors; and broken windows in several rooms.

The owners, Antero and Antonieta Caillaux, had agreed to repair these violations, but didn't. Now, two years later, a number of the tenants are speaking out. They are not afraid anymore.

When I originally complained about the filth and bad smell and safety hazards, the Caillauxes tried to evict me in retaliation. Eviction is a powerful weapon landlords can use to keep low-income tenants in line. Most of us can't afford the first-and-last-month's rent and security deposit to move into a fair, safe and clean place. Even if we can afford the monthly rent, we cannot afford the balloon payment to move in. This leaves us at the mercy of slumlords who own SRO hotels. In Oakland, these hotels rent for anywhere from $300 to $500 a month. At those prices, tenants should receive a safe, clean, healthy place to live.

But what I discovered is that the owners of the Will Rogers Hotel think they are above the law. They are good at illegal evictions, and experienced at ignoring court orders to bring their hotel into compliance with health and safety codes. But once the tenants showed the owners that they had rights and they were going to take a stand and fight illegal evictions, things began to change.

The tenants asked for my help in fighting for these rights. As a tenants' rights organizer, I went to court with four of the tenants, and we filed a lawsuit against the poor conditions at the Will Rogers. After the first round of the legal fight, the Caillauxes offered the present tenants a settlement of from $1,000 to $2,500. But the tenants said no to this offer, and no to slum landlords, because their pain and suffering, along with some of the tenants' medical bills, exceeded the amount offered.

Instead of accepting the settlement, the tenants requested a jury trial and won that right. That in itself is an important victory, because it means the judge takes our case and evidence seriously, and because now our case will be heard by an Oakland jury, and jurors may well be sympathetic when they learn of the bad conditions that their fellow citizens are forced to endure.

As always, the owners claim they are broke. Yet they are collecting rent every month, while apparently putting little money back into the hotel in terms of upkeep. If these slumlords would take the tenants' money and put some of it back into repairing the tenants' units, there wouldn't be so many code violations in their hotel.

Too many of these landlords get away with not repairing their rental units. And tenants have too few protections in Oakland. One reform that we urgently need is a just-cause eviction law, but the Oakland City Council shot that down in flames after promising tenants they would support it. Tenants need to demand a better response from their newly elected councilmembers, as well as the mayor, city manager and city attorney.

I'm calling on every tenant in Oakland who rents from a slum landlord to come together and take a stand against slum conditions. We need to write or call our mayor and councilmembers for their support in taking action against these violations. With all the welfare cuts in AFDC, GA and SSI, the only thing many people will be able to afford is a SRO hotel room. It now takes two incomes to be able to afford to move into a decent and healthy place to live.

After a decade of plants and stores closing and other employers leaving our city, the lack of jobs in Oakland has lessened our people's ability to afford a good place to live, so again we are stuck with the cheap housing of slumlords who overcharge tenants.

As I've said in the past, these slumlords treat their dogs and cats better than they treat their tenants. Taking a stand against negligent owners will be a victory for us all.

I call my organization Fighting Against Slum Landlords. If you need a tenant organizer's help, call me at (510) 444-9448.

Marching for Justice in Oakland

from page one

Pete Wilson stood out for me. The puppets had scissors in their hand, and Gov. Wilson's puppet was labeled, "Pete 'Kick 'em When They're Down' Wilson."

As I walked down Broadway speaking with different people on why they decided to participate in the march, the responses were very passionate. I made my way to the front of the parade so I could see the large crowd. The leading banner stated: "Bread, Work, and Justice" — that says it all. In front of the banner was a young African American boy with a harmonica and juggling paraphernalia. He was playing and shouting, "Justice is a right, not a privilege."

I interviewed him. His name is Uncle Tubby the Juggler, and this is what he had to say: "This situation is very bad. Sooner or later we will have a better day, and there is nothing the politicians can do about it." This impressed me greatly, for an 11-year-old boy to have this kind of outlook on life. It tells me that not all kids are stuck in front of the TV.

The march was organized to protest federal food stamp cuts, and severe reductions in Aid to Families with Dependent Children and Supplemental Security Income, as well as the cutoff of benefits to legal immigrants.

The welfare bill signed by Clinton last August limits food stamps for able-bodied single adults between the ages of 18 and 50 to only three months out of a three-year period. It's a bill to increase hunger. More than 100,000 people in California are estimated to lose their food stamps under this bill.

The protesters were shouting: "What do we want? Justice! When do we want it? Now!!!" and "They say cutbacks, we say fight back." Looking at the sea of people in the crowd, I saw passion and a drive to be heard. Tom and Lee from Angry White Guys for Affirmative Action stated: "This scapegoating of the poor people and welfare is cruel. There are no jobs or adequate training."

Representing The Campaign to Abolish Poverty, which is working for the Living Wage Jobs bill, Rosa Bernard said: "How do you expect people to survive off welfare when the minimum wage is just $5.00 an hour? Considering we live in a state where your apartment rent begins at $600 per month, where is the subsidy?"

Tom Perez, from South County Peace & Justice, said the reason he was marching is because, "Our voice is strong, unless we stand back and let the government treat immigrants and people with families without regard. As citizens, we ask for human rights. Who will fight for them? Not corporations, but us."

One lady stated that multibillion-dollar corporations make it impossible for women to work for the simple fact that there are not enough daycare centers. Many speakers described how these cutbacks will hurt a lot of people — women and children and SSI recipients and single adults. I agree. It is already difficult to get help if you are a single adult; it is treated like a crime to have no children and be poor. Through my period of homelessness, it was very hard to get help. If it wasn't for the church and my personal drive, I might still be in the same situation.

The march ended at Jack London square, where various speakers spoke against injustice and asked people to continue the fight at the State Capitol in Sacramento on March 4. People came out with Alhambra water bottles to make a noisy drumbeat for justice. And a steady drumbeat of voices denounced the welfare cuts and spoke out for bread, work and justice.

The Green Party was there asking people to recall Gov. Wilson. Pat, a protester and member of the Hayward Democratic Party, said about the welfare cuts: "This is terrible. It is unjust." The Farmworkers of America declared: "Our voice must be heard. We must continue the struggle."

It is this writer's opinion that the cutbacks will happen, but as a people we can make changes. My suggestion is to start on the local level with the city by getting the neighboring cities to stop building condos and build affordable housing. Make the city council responsible for each major development that does not benefit the community. Always vote; if we don't exercise our rights, it stays the same.

I hope that we can teach our children to love one another, and stop the hatred. This march showed me that standing with different cultures does not mean that hate has to enter the picture. We can fight the struggle together. This is not a poverty cry, but a cry for a right to live and raise our children in stable conditions. Keep the fight and struggle going — we can make a

Julia Vinograd

"You don't choose poetry. You're a poet, and you're either working at it or you're going nuts. Why do you breathe? I'm not real unless I've written recently. I can feel myself slipping away."



***Julia Vinograd,* the prisoner of poetry.** Lydia Gans photo

Interview by Terry Messman

Julia Vinograd looks right at home amid the noise and bustle of Caffe Mediterraneum on Telegraph Avenue in Berkeley. With its art-bedecked walls and the ghosts of a thousand caffeinated conversations about changing the world hovering in the air, the Med oozes atmosphere, as does Vinograd herself. She is adorned with eyeball rings, and dressed all in black. She wears a 'Poet' button in her cap because when she takes her books from table to table, "people think I'm a sparechanger, so the button clears it up."

The Med is a fitting place to interview Julia; it's one of her favorite haunts. Once, when it looked like the Med might close, she wrote a dreamy, melancholy poem, "Some Morning," which began:

"I feel I'm about to lose my job,
except I don't have a job.
I feel they'll come some morning,
with a pink slip
and take away my coffee
and take away my table at the Cafe Med
and take away the Med.
And they'll tell me politely
that of course it isn't personal
but they've found someone else
to polish the light
who doesn't need to breathe
as much as I do."

Her poem casts light on the symbiotic relationship between Julia Vinograd and Berkeley hallmarks such as the Med, People's Park, Telegraph Avenue, and, of course, a striking cast of surreal characters and street people. Such a strong identity pulses between Julia and these Berkeley scenes that if they are threatened, Julia herself might disappear. Perhaps that is why she fights so passionately through her poetry to preserve People's Park, to uphold the rights of street people, and to save the fading images of vanished places and dead friends from the oblivion of time.

She herself is indelibly part of a Berkeley landmark: her black-clad image perennially blows bubbles on the People's Park mural just off Telegraph.

Julia is a poet who chronicles and alchemically transforms the living history of Berkeley. Although she is a self-defined "street poet," and many of her poems do contain moving accounts of the daily lives of people on the streets and vivid reminders of their humanity, in truth, Julia is far more than a chronicler of street life. Her poems cover the entire spectrum of human experience — love, memory, death, beauty, heartbreak, the joys of daily life, art, the blues, and poetic vistas of other times, other places.

She is gifted with a sensitive poetic eye and a spirited dose of utopian longing. Despite her disavowal of garden-variety politics, she has an eloquent political voice and a restless conscience that flares out when an outbreak of war or greed harms the defenseless.

Vinograd also possesses a weirded-out sense of humor, a soaring imagination, and a feeling heart, all the better to love (or weep over) the strangely compelling menagerie that is Berkeley.

Her poem, "For the Berkeley Inn," goes beyond a remembrance of things past, to celebrate and cherish the lives of low-income people who were her neighbors there. Some people in an increasingly affluent Berkeley are perhaps glad to see the hotel gone, along with the marginal folks who lived there. But by poetically reconstructing that place and time, Julia defies the demolition, rebuilds the Inn out of her imagination, and reminds us that, in the midst of an uncaring society, its residents cared about one another.

By honoring the lives of sparechangers, street musicians, and homeless persons, Vinograd reclaims their worth and dignity at a time when the powers that be are intent on sweeping the Bay Area clear of those they consider undesirables.

Perhaps the most important way that this poet of the streets practices her own form of deeply felt resistance to injustice, is by simply reminding all of us that the people we pass on the street are worth caring about, worth cherishing — worth memorializing in heartfelt poetry.

Julia Vinograd's books are sold at Cody's, Moe's, Shakespeare's, and Shambhala bookstores on Telegraph Avenue in Berkeley. She sells signed books herself on Telegraph Avenue.

Julia will be featured at a poetry reading on March 23 at 2 p.m., at the 3300 Club, on 33rd and Mission, San Francisco.

***Street Spirit:** Your poetry portrays the lives of street people, people living in residential hotels, homeless people. You're one of the few poets with an impressive body of work spanning decades who gives voice to the hopes and dreams of people on the streets. What leads you to write about those who are most often ignored?*

Julia Vinograd: Well, you mentioned the residential hotels. I lived in one for 15 years; I lived in the Berkeley Inn. It's kind of difficult to ignore yourself. You write from what you know or what you see.

I've never been organized enough to live right on the street (laughs). That takes as much organization as it does to be a Harvard Law student. You have to know what lines to wait in where, what's open when, and who to talk to and how. You know, it's all in who you know, very much like being a Harvard Law student. And I'm not that organized.

One of the nice things about hanging out on Telegraph is that you see everybody, you talk to everybody and everybody talks to you. I'll sit at a table outside the Med and my poems will walk by.

SS: *Your poem, "For The Berkeley Inn," is more than just an elegy. It's an act of poetic resistance to the demolition. You used memory to reconstruct the place, and to preserve the acts of friendship, kindness, craziness that went on there.*

JV: It was wonderful there. Like I said in the poem, 'Were we all crazy?' And I answered, 'Well, we were all friends and with friends it's not a pertinent question.' It was right in the center of everything. People's Park started when I lived in the Berkeley Inn. People's Park was in my front yard; it was right across the street. I was half a block from the Med; I was across the street from five bookstores.

If the landlord hadn't burned the Berkeley Inn down for the insurance, I'd still be living there.

SS: *So you wrote a poem to resist its demolition by remembering it back to life. You think the landlord's responsible?*

JV: The fire marshal said it was arson. I suppose arson could be anybody. But *anybody* doesn't burn a residential hotel three nights after the Supreme Court ratified rent control. So I think it's very likely. The City has tried to get it away from the landlord and met a considerable amount of opposition. I think perhaps the absentee landlord wants to hold onto it until they can build a condominium or whatnot for some ridiculous amount of money.

I don't know if you'd call the poem political exactly, but I lost something that I valued very much — my friends, my home. Because I was a poet, I wasn't going to let go if I could make it *live.* I can't live there anymore, but everybody who reads that poem is gonna live there as long as they read the poem.

SS: *Including the people that actually were living there; they get to revisit it.*

JV: Oh, yeah. The strange thing is that it wasn't just people who lived there permanently. Half of Berkeley would come stay for a week or so, or drift through. It was a very public place. There was a TV room, and during the demonstrations, half of Berkeley would crowd in to see if we could spot ourselves in the mob shots on the news. You know, 'Is that blur me?'

***SS:** In "The Panhandling Ordinance," you wrote: "If your ankles are swollen and you're ready to drop/ you can't rest unless you're buying something." It ends ominously: "It's forbidden to sleep. It's forbidden to dream./ And you may never rest again/ until you can afford it." That's a wake-up call about the Poor Laws, yet it's poetry as opposed to political rhetoric. How do you strike that balance?*

JV: I said, "you," instead of "they." You know, "Suppose it was *you* in this situation." If I wrote the poem now, I'd remind the readers how much they hated it when their wives took them to museums and they had to stand up and look at the paintings and what you feel like when your feet hurt and you can't sit down. It's not really economics or politics. When your feet hurt, you should be able to sit.

I try to bring everything back to basics. Politics, economics — they're ways back to basics, but sometimes they're just standing in the way of the basics. For people to identify, you have to feel that something is human, not an argument thing.

SS: *"Sparechangers" describes a person who ignores sparechangers; but instead of rejecting or judging, you looked inside at their humanity. Then you got inside the homeless person, too. It's amazing how in one poem you identify with being both people.*

JV: You have to. Loading the dice is cheating. Nobody stops at every sparechanger and has a conversation and gives them money and good advice and tells them where to go, and asks them what they think of the weather — not every sparechanger, it's not possible. But sooner or later you pass somebody and you don't look at them, and you feel bad, and does this make you an evil person? No, you're just a person and I'm just a person, and there's some kind of mess going on.

It's too easy to say that only evil capitalists go by and don't look. Half the time people who go by don't have all that much money themselves — maybe more than the sparechangers, but it's money that has to go to rent, or books, or they have to buy their date something, and while that's not as important as buying somebody a sandwich, it's their date. And the world is a mess, and that feels bad.

SS: *The ending is so thought-provoking. You say the person who walks by the sparechanger has the "right to the self you were before you walked down the block," but then immediately add: "And the homeless want their homes back, they have a right to the selves they were before." Both have lost something precious.*

JV: Yes! You see, if I tell the person who was ignoring the sparechanger that they had a right be who they were before they walked down the block, I can also tell the sparechangers they have a right to be who they were before they were *thrown out* on the block. And the message will get through. But if I only talk about the sparechanger's rights, they'll go, 'Oh, another one.' (feigns a disgusted reaction).

If I have a message, it's that everybody's human.

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CINNAMON

by Julia Vinograd

Her boyfriend broke up with her.
The cops took her belongings away
and say they're safe in storage
but she can't get them back
without papers she can't get.
A couple she knows have AIDS
and their baby can't live
to be older than 3
and it's such a sweet little thing.
There was some mix-up with her check
but she's pretty sure that will work out
but it takes forever.
And you can get arrested for sleeping
anywhere now,
just anywhere.
She's gone to the press about it
and they even quote her sometimes,
they think she's funny,
but it never makes any difference.
And you know, she's tired.
She's really very tired.
She isn't sure why.
She says it must be the weather.



Life Imitates Art

Julia Vinograd, *left,* blows bubbles alongside her own painted likeness in this renowned mural of People's Park, just off Telegraph Avenue.

Lydia Gans photo

SS: *And so many of your poems are about the most basic human themes, not just about political subjects. They're about love and death and losing a parent.*

JV: But that happens to everybody, street people included. In one of my poems, there was somebody ahead of me in line being very angry at somebody buying a steak with food stamps. And sometimes it's absolutely necessary to get something luxurious at the beginning of the month, even if it meant you couldn't afford beans at the end of the month. That was a human thing to do. Like there seemed to be a feeling in the air that it was okay for poor people to eat as long as they didn't enjoy it. And I thought that was so sad — as if people would really do benefits for them and try to organize food for them, but not if they liked to eat.

It's more of a sadness than a bigotry, and a misunderstanding. You know, the poor as well as the rich need to be able to buy a pretty ribbon for their girl's hair occasionally. Not necessarily an expensive one — a pretty one. A human thing to do.

SS: *You know, Shelley said poets are the unacknowledged legislators of humanity.*

JV: That means we can't get anybody to follow *our* laws (laughs).

SS: *Exactly. Your laws go unacknowledged and the Berkeley Poor Laws, at this moment at least, are still on the books. Yet it seems like a poet couldn't do much more than what you've done to alert people.*

JV: I can write what I think. I can't run for office or anything, and I wouldn't if I could. I think if you wanted my definition of hell it would be one endless meeting. If I care about an issue, I'll write something about it. If someone asks me what use I am, I give them the poem and let them print it, but I'm not going to any meetings. I used to blow soap bubbles on demonstrations when I could get around easier, but no meetings.

SS: *"The Sproul Hall Sit In" describes committing civil disobedience in the Free Speech Movement. You wrote: "I hadn't planned to be there; part of me hasn't left. I remember a light brighter than the tv cameras, stronger than fear. I remember us." Did those times of utopian hope leave a lasting impression on you?*

JV: I didn't get caught up in politics because I was a political person. There were people around who were as fascinated by politics as a chess player is by chess, that knew the history and geography of everything, and had long, happy arguments about politics. I wasn't one of them. I didn't know the dates, and I still can't find half the countries on the map.

But there was a magnet. I don't know any better word for it, just a big magnet that pulled people in. I would decide maybe I'd watch for five minutes and go on, but I'd be there for two hours and I wouldn't go on; I'd join the protest, without even entirely consenting to it. It was an emotional magnet that pulled everybody in. Anything was possible. Anything good, anything bad. The whole spectrum was open.

SS: *Where did that spirit go?*

JV: You just never know. It was gone for a bunch of years, but then it came back with the anti-apartheid thing; it was back at its glorious best. Just as wild, just as crazy. At the moment it isn't around, but you just never know what's going to happen — when, where, or even why. You never know. I remember when People's Park started, all the officially political people were almost against it, they thought it was taking energy from the Vietnam protests, and we were being distracted by some silly little local issue. They've heard of

See **Julia Vinograd** *page 11*

POEMS

by Julia Vinograd

Yes, I want my poems to save the world,
but I'd like to serve notice:
I don't want my poems *only* to save the world.
When all the wars are over
and everyone has enough to eat
and a place to stay
my poems will still rage in the night.
I will still rage in the night.
Poems are war
against the silence before creation
and the silence after death
and that war is always lost
and never over.
Any other war is welcome to come along:
Missiles, slumlords, meanness, hunger,
children mocked into self-loathing —
I'm against them all
and if I didn't give my best to fight them
I'd be a traitor.
But I can't just fight what I'm against,
it's too easy.
I have to fight for what I believe in,
I have to fight to believe
word by word battling the silence
late at night
raging to catch the sun in my awkward hands.

FOR ERIC

by Julia Vinograd

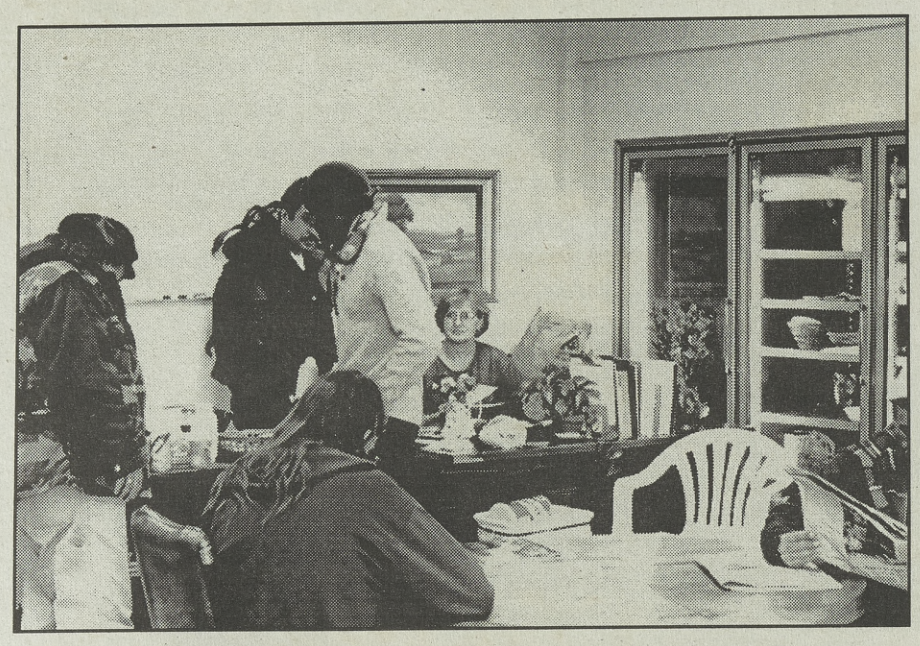
I just got a phone call from a friend
who is back in the nut house again
so he's calling collect
and who can refuse collect calls from a nut house?
And of course, it's at the other end of the state.
I ask him if he stopped taking his medication
and he says, offended,
that has nothing to do with it,
he has a mission and he has to go to heaven
but not to worry he'll always be a poet,
how am I?
And there's this magazine he's supposed to be in,
is it out yet?
"No it isn't," I tell him
leaving the rest of his speech alone.
(I used to try to argue but it doesn't help.)
He doesn't sound drugged.
He says he'll be out soon
but it doesn't really matter
he can write anywhere, he has to go now,
he wishes I wouldn't make such a fuss.
O.K. This has all happened before.
But if the long-distance operator rings me
with a collect call from heaven
I'm not accepting the charges.

FOR THE BERKELEY INN, WHERE I LIVED FOR 15 YEARS, BEING TORN DOWN

by Julia Vinograd

The wrecking ball swinging against the bricks
is big as crazy George's shaved head
when she took a heavy stick on full moon nights,
banged on all the doors
and bellowed for quiet like a charging refrigerator.
The cops always came when George had a quiet attack,
heavy shoulders, muscled neck,
it took three of them to haul her off
and she was back the next morning.
As the bricks tumble she roars from the ruins
"Quiet, I said quiet, you assholes!"
It's going down, the watching crowd gasps
with each blow, it can't be fixed anymore,
not even Charlie can fix it.
Charlie, the desk clerk mechanic
whose wife ran off with a cop so he became a stalinist
and the landlady fired him each time he got drunk
but she always hired him back
because the elevator was in love with him
and wouldn't work for anyone else.
He had a dozen t.v. sets in his room
that he took happily apart and put reluctantly
back together. And he was kind to me.
I look at the plaster dust.
There should be records of that kindness
set in plaster like fossil leaves
but it's all gone now.
And Florence, the first landlady:
skinny, tough, always furious.
We said she'd run a whorehouse in Texas
which is the highest compliment
tenants can give a landlady.
She told me if I went out into some riot
she wasn't letting me back in,
so I stalked out nobly, collapsed from the tear gas
and Florence ran after me and dragged me back,
more or less by my ear.
I once saw her threaten to call the cops on a cop.
As long as these walls stood they knew her name
but one wall is down and the second is going.
Now I have to write her name
and she never did think much of poetry.
And Guy, one of the oldest desk clerks
much too deaf to work but he wouldn't believe it.
Someone would come and ask for a room
and Guy would turn purple and yell,
"You can't call me that!"
and reach for a nightstick under the desk
and whoever was backing him
would take it gently away.
Were we all crazy? Mainly we were friends,
and with friends it's not a pertinent question.
And there was the building itself.
There'd been a banquet room once,
closed before I moved in.
There was a t.v. room where we all came
and tried to spot ourselves on the news.
There were 5 floors of hotplates, potplants,
parties, people overnight
and never enough toilet paper.
There were cockroaches of course,
but very clean cockroaches.
I had a room with 5 walls and a view of the hills
I thought I would live there forever,
and I thought I would live forever.
A pile of rubble with pigeons circling,
but when I close my eyes I still see
that rug in the lobby: red, maroon, blue-looped,
swirling, everyone swore it was the first rug on acid.
And I see the switchboard behind the desk,
a tangle of beeping lines
as the desk clerk snaps,
"hold on a sec, just hold on."
And I'm holding
but it's hard.

Traveling the Oregon Homeless Trail



Homeless people **gather in the Service Station, a day access center in Eugene, Oregon, which provides showers, laundry, sack lunches, telephones, and referrals.**

by Becky Johnson

Recently, my traveling companion, Robert Norse Kahn, and I set out to experience firsthand the nature of the homeless situation in Oregon. What we discovered both surprised us and inspired us.

Robert and I set out first for Medford, Oregon, to meet a homeless activist, John Statler, who Robert had met on the Internet. John met us at a fast food restaurant, and took us to Marty Mosenthiem's home. Both are formerly homeless men who had battled alcohol addiction. They had begun not only the task of improving their own lives, but had gone beyond that, to work to create solutions for homeless people which make sense.

"We've found it very hard to organize the homeless," John told us. "We've had *greater luck organizing the formerly homeless.*" Marty told us of the annual Homeless Day in the Park that they had put together for the last two years. They were planning an even bigger event this year. The event was meant to educate the public, to bring service providers together with homeless people, and to advocate for the rights of homeless people.

While the event was increasingly successful, John reported a disturbing incident. "We wanted to count the homeless, so we arranged a night where volunteers went out and literally counted bodies under the bridges, bushes, and in the parks," he explained. "As we went along counting the homeless, the police followed and wrote tickets for the people we were counting. We had to cancel doing a count like that again, because of what the police did."

John and Marty told us of their efforts to influence the Medford City Council to provide more single-room occupancy for the homeless. Robert and I were both complete strangers to John and Marty, but John went out of his way to meet us late at night and Marty gave us his own room to sleep in, a phone to use, and home-cooked food.

Marty and John gave us the number of Peggy Thomas of the Oregon Human Rights Coalition in Eugene. We met her at her modest apartment, which, much to Robert's delight, contained file cabinets full of newspaper clippings, files, and articles on homelessness. Peggy is very active in homeless issues, in spite of having a mobility disability. She introduced us to Tom Musselwhite at Project Recover and Bridget Reilly, publisher of *The Houseless Journal,* a homeless newsletter, and the more ambitious *'Oikos,* a homeless newspaper. Peggy, Bridget, and Tom gave us a first-hand report of the Centennial Car Camp and the fight against the Eugene Sleeping Ban.

The Car Camp had operated successfully in Eugene for three successive winters (1993-95) before the Eugene City Council capriciously pulled its funding. "Lane Shelter Care never wanted it to succeed," Tom reported. "A different shelter provider ran the program for two years successfully. In the third year, Lane took over. They set it up to fail. They established some very rigid rules which were patently unfair. When the residents justifiably objected, they ended the program."

A GRANDMOTHER IS EVICTED

"They evicted one pregnant woman for having a fight with her husband," Peggy said. "A few months later, the woman returned to show the baby to its grandmother. Lane Shelter Care evicted the grandmother for 'having an unauthorized visitor.' They gave her four hours to pack her belongings and leave the site. When she was unable to do so on such short notice, they called the police and had her arrested for trespassing."

Tom added, "The program for 40 to 60 people included two social workers per shift around the clock. Not only did the labor costs increase the program costs by a factor of ten, the social workers did little to find homes, work, or health services for the residents."

FIGHTING EUGENE'S SLEEPING BAN

Danielle Smith, a woman who lives in a bus, told us how she had taken an active stand in fighting the Eugene Sleeping Ban in court. "I don't believe I should have to pay for the right to sleep in my bus (by paying the fines). I don't feel I owe anyone anything for having slept."

Peggy took us to meet Bridget Reilly, editor of *The Houseless Journal,* and new editor of *'Oikos.* Bridget, an outspoken woman who lives in a camper, told us of also told us of the new state law which requires the police to give 24-hours notice before busting a campsite, posted in English and Spanish; it also requires them to notify social workers of the encampment, and to keep all possessions seized for up to 30 days in safe storage, so they can be claimed. "But there's a catch," he said. "There's no time limit for a city to enact the new code. Only one city has done so, so far."

We also ran into Charles Gray, a former Santa Cruz and Nicaraguan homeless activist who had been arrested with Robert at the Santa Cruz Town Clock Sleep-Ins in the fall of 1988. Although retired, Charles volunteers to advocate and report on homeless issues. His article, "Full Time Work, but... No Affordable Housing," chronicled the reduction of affordable housing from 1985 to 1996. He reports, "It seems clear from my study that housing is becoming virtually inaccessible to single-earner, minimum-wage households." His conclusion: "It's high time to put a housing revolution on our agenda."

Our last stop in Eugene was at "Icky's", a meeting place for homeless people set up like a coffee shop — with no coffee or heat. The rain poured in buckets outside, while homeless people gathered inside bundled in their coats, their backpacks and bedrolls beside them. They reported how the city council had banned skateboards and dogs from an area near the university they liked to frequent, in an attempt to drive them away. Also, a neighborhood park was almost completely fenced off "to restore the vegetation." Outraged homeless people responded by pulling up the fence and leaving it hanging in a tree. A settlement was negotiated between the city and the homeless people. A much smaller fence was put up, and as promised, was left intact.

"We wanted to count the homeless, so we arranged a night where volunteers went out and literally counted bodies under the bridges, bushes, and in the parks. As we went along counting, the police followed and wrote tickets for the people we were counting. We had to cancel doing a count like that again, because of what the police did."



Volunteers from **Project Recover's RIPCORD program conduct a stream survey. RIPCORD is a coordinated effort between homeless volunteers, university students and several nature resource management agencies.**

SISTERS OF THE OPEN ROAD CAFE

Robert and I traveled on to Portland, the largest city in the state. The temperature was 37 degrees, and a fog reduced visibility to a few blocks. As I walked to The Sisters of the Open Road Cafe, the cold stabbed through my winter jacket like razor blades. I was grateful when Jenny Nelson let us in 45 minutes before opening time. I looked at the man waiting outside on the sidewalk with a huge backpack and a German shepherd mix half-grown puppy. I shivered to think what it must be like to live outside in this climate.

Inside, the Cafe was warm with laughter, a diverse staff of upbeat down-and-outers, and posters and photos of inspiration adorned the walls. The Cafe is an enigma, but the kind that reaffirms one's faith in humanity. It is the only restaurant I've ever heard of which takes food stamps. A meal is $1.25, and this morning included coffee, juice, macaroni and cheese, beans, bread, and apple sauce.

Jenny Nelson, the manager in chief, told us: "If a person can't afford to pay, they can work in the restaurant for credit for meals at a wage of $5.00 an hour. Fifteen minutes of work, and dinner is paid for." A homeless man named Wayne cheerfully refilled my coffee cup. As the restaurant opened, a stream of people entered with backpacks, lined faces, and the bundled look of people who live outdoors. But distinctively missing was that dull, forsaken expression I've seen on so many homeless faces. Instead, they were smiling, cheerful, and talkative.

Soon the restaurant was filled with people, as the waiters and waitresses rushed about, getting them steaming plates of food, coffee, and juice.

I asked Jenny how they were allowed to take food stamps for restaurant food. "It was Sen. Mark Hatfield who lobbied for it. We pointed out how difficult it is for a homeless person to get a hot meal with food stamps. They have no cooking facilities, sinks or running water, or adequate refrigeration. He helped alter the food-stamp policy to allow it. The USDA published a pamphlet, *Dining with Dignity,* allowing nonprofit restaurants to accept food stamps, and the Sisters of the Open Road Cafe was begun in 1987." Noting the rarity of the action, Jenny said: "We are a nation that doesn't take that kind of go-to-the-root look at the problem."

In our search to meet homeless newspaper editors, we sought out Sharon Pearson; she wears two hats, one as managing editor of *The Burnside Cadillac,* the other as the director of the Bridge School, which seeks to educate homeless people.

"What is a Burnside Cadillac?" I asked. "It's a shopping cart full of a homeless person's possessions," she explained. "We have a high number of homeless in the Burnside neighborhood, hence, Burnside Cadillacs." Sharon and her board have set a standard of having a minimum of 50% of the articles in the

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Julia Vinograd: Poet of the Streets

from page nine

People's Park all over the world now.

SS: *Why does People's Park mean so much to people?*

JV: Partly because it *was* local. You could see it, you could dig with your own hands. It wasn't just something in the newspapers. And it was so nice, after having been against so many things, to be *for* something, to make something. Instead of trashing things and saying 'No!', this was positive. With flowers in it.

I never saw so many dangerous-looking people guarding flowers (laughs).

SS: *In what ways do you still fly by those lights? It doesn't look like you've conformed much to society in the intervening years. Your button still says, 'Weird and Proud,' you still write poetry.*

JV: I didn't really save the world in any form in the '60s. The most useful thing I did was blow bubbles and write poetry. When there was a backlash against all the big things of the '60s, I got kind of ignored because my things were fairly small. My bubbles can make people happy, and I think that's not really small, but it's never been controversial.

I wanted a whole new world to come, the way everybody did. I was 20 at the time; we all wanted a new world to come. But I had no idea what it would be like. I thought everybody else in the '60s were wonderful, fearless saints, and I had no idea how they did it. And then, of course, with the backlash and the reaction, everybody just turned back to being human.

It's wonderful to want more, and I still want more, but I don't know how. I keep on what I do know, and that's the writing and the bubbles. But more is needed, much more is needed. More of everything. People are hurting. And almost worse than people hurting, people are sad.

SS: *I really feel that too. Despair seems to be the spirit of the age. Why do you think there's more sadness these days?*

JV: There's a lot less money around. Everything costs a lot more. In the '60s, I was paying like $68 a month for a room, and in the whole 15 years it finally went up to $100 a month. You can't get that anymore. And there were lots of people who simply slept in their vans, or couch-surfed, or slept out in the woods. Everything was cheap and easy, and the cops didn't bother people, not unless there was a fight going on. But they didn't actively bother you for sleeping in a van — why should they? All that's changed.

Now rent is skyrocketing. You can't sleep in your van. I think the cops think that if you sleep in your van, you're part of the drug world. Or maybe they just think that if you get enough people out of sleeping in their vans, they'll all take extravagant trips around the world.

I don't know where they think people will get the money. I don't understand it. But there's seriously less money around, and that's scary. I don't know what will happen with these welfare cuts. That's sad. Clinton should go stand in the corner.

SS: *For acting like a Republican?*

JV: Well, for not acting like a Democrat. His own party is pretty mad at him, and I'm mad at him myself. I don't know what will happen but I think it's not only bad, it's stupid.

SS: *Berkeley and San Francisco have been places of tolerance for diverse people for many years. What do you think of their ongoing attempts to criminalize and drive out poor and homeless people?*

JV: A lot of it comes from state issues, and there's our unbeloved governor. But, yeah, some of it's local and it's a mess. I'm disappointed in Willie Brown.

I have an idea. I'm a poet and I'm going to use some poetic license. Mayor Brown, you are about to be offered a bribe and a dare. I've been told there is a possibility of some houses in the Presidio, good houses that are about to be torn down, and that could be given to homeless people to live in.

Well, this is the bribe. If you work with this, every homeless person that you've helped will put in a dollar for the most expensive suit in the entire world, hopefully in the worst taste. And you know something? — I *dare* you to take it.

It could be a Jacob's coat of many colors that every homeless person contributed for. You want the homeless on your back? You'd have them on your back and wear them with style!

SS: *How long have you been writing poetry?*

JV: I started writing bad, enthusiastic poetry in high school like everybody does. I just didn't stop and gradually got better, at least I hope so.

SS: *How many books have you published now?*

JV: About 42. I do a summer book and a winter book each year. I trade books with Telegraph vendors for a lot of my Christmas presents. Nothing expensive, something small they'll trade for a book. Because nobody can afford to go shopping anymore. And I do some barter at the flea market. It's kind of fun.

SS: *It seems artists are never appreciated in their time. You reflect the beauty you see back to us, and you reflect the suffering. You're the community's mirror.*

JV: Well, when I'm dead I'll be very rich (laughs). Lot of good that will do.

SS: *So why do you choose such a thankless vocation?*

JV: You don't choose poetry. You're a poet, and you're either working at it or you're going nuts. Why do you breathe? I'm not real unless I've written recently. I can feel myself slipping away. I'm not sure about anything, any of my opinions, unless I've written them down. I solidify things by writing about them. If I don't, they just sort of drift off. I have to make them real by writing them down, and making them real to other people as well. It's a good image you used. I'm a mirror. I reflect what's there.

SS: *How does a struggling poet get by?*

JV: Well, I'm not starving. I was on SSI for 15 years due to a combination of polio and epilepsy. The epilepsy is controlled now; I've still got the polio. When my mother died, my sister and I inherited the interest on a trust fund my grandfather left. So instead of having $600 from SSI and Medi-Cal, I now have $700 a month and I have to pay for Kaiser. Kind of balances out. But at least it can't be taken away if they decide to cancel SSI, and God only knows what they'll do next.

SS: *You had polio as a child? You must have gotten it right before they started vaccinating.*

JV: Right before they invented the vaccine, about a month before the vaccine. I think I was four years old.

SS: *How bad was it?*

JV: Very bad to begin with. My whole right side was paralyzed. When I got better, it's mainly my right leg. I wear a brace.

SS: *What about your epilepsy? How is it controlled? Medication?*

JV: Yes. It's cured the grand mal seizures. I used to have the grand mal.

SS: *Given that poets aren't honored in their own time, and that it's getting harder for people with limited incomes, what's kept you going all these years as a poet?*

JV: It's more the other way around. The poetry keeps other parts of me going. I use the poetry, there's no question about it. I've been very lucky in that I get books out and I get good reactions from people. I'm communicating. That keeps me going.

Once in a while I stumble across a poet who does the kind of thing I'm into. Charles Bukowski, I'm going to miss him. He was wonderful. He spoke for a whole batch of people. He has the same audience I have — people who can't stand poetry.

It's not people's fault that they've turned off to poetry; it's bad grade school teachers who had them memorize god-awful stuff, and it's writing papers on bad poems in college. And people who think poetry is Hallmark's cards because that's all they've been exposed to.

SS: *Which poets inspire you?*

JV: Well, the first poet I was crazy about is William Butler Yeats. I stumbled across him in high school and started writing bad imitation Yeats. Yeats and Bukowski are probably as wildly different styles as you can imagine. And then, Ginsberg's *Howl* and *Kaddish,* and Blake's *The Marriage of Heaven and Hell.* Some of Coleridge. I like Byron's *Don Juan;* it's terribly funny.

SS: *You got a degree in English Literature? Where?*

JV: Berkeley in 1965, and then I went to the University of Iowa and got a Master of Fine Arts, which is essentially a degree in poetry. I was there for two years, and then I came back here just in time for People's Park.

SS: *To be a young poet in Berkeley in the '60s — that's not bad (laughs).*

JV: It was wonderful. I didn't even have to run away to get here. And then I was silly enough to leave for two years, to Iowa. But I came back!

LEAVING YOUR MARK ON THE WORLD
by Julia Vinograd

The outlines of lovers
should be etched onto sheets
the same way hiroshima
etched white shadows
onto stone.

Oregon Homeless Trail

from page ten

paper written by homeless people. To accomplish this end, Sharon pays for the articles. It's a modest sum, but to a homeless person, the money is greatly needed.

While the paper is fairly new, Sharon reports it already has a large circulation. "Our first issue, we sold 1,900 papers. Homeless people are given the first 10 papers free to sell for $1 each. They can buy additional papers at a reduced price." Sharon believes each paper is read by 3.2 people, so the word is getting out there.

"We've had a very good response from the community. Some of the people buying our paper are having the first encounter they've ever had with a homeless person, and it's a positive one. By selling our paper, it helps to break down the fear some people have of homeless people."

The next day in the pouring rain, we visited JOIN, at 12th and Oak Street in Portland. Rob Justus, the director, invited us into his postage-stamp sized office. The outer room was filled with homeless men, their soggy backpacks and bedrolls, and even a big dog asleep beneath one of the tables. Rob talked of the harassment the homeless suffer as the result of complaints filed by neighbors.

"Neighborhood associations, have, through the police, gained a lot of power," he noted. Rob estimates the number of homeless in Multnomah County to be 6000. "Eric Stinn, a candidate for city council, was pro-low-income housing. He lost. He was about the only candidate who advocated to improve the conditions homeless people face." Rob reported that all county services were being cut back. "I call it creaming," he said, "where only the cream are helped."

Rob told us of the Ross Island Bridge sweeps. Homeless people, 50 at a time, had gathered under the large, concrete bridge. And even though they are invisible from the road, the cops were driving them out. A ridiculous claim that homeless campfires could damage the bridge was voiced. "We went to the effort to get an architect and a civil engineer to check it out," Rob said. "They said a concrete bridge, 50 feet in the air, could in *no way* be damaged by a campfire."

Asked about discrimination against panhandlers, Rob reported: "It's less of an issue here. Our bottle bill allows homeless people to get 5 cents a can, so there is less of it here." He said the next step for JOIN is to establish micro-enterprises to help homeless people earn money.

On our return trip through Eugene, Tom Musselwhite showed us a hate letter sent by Bishop C.N. Turrell, PhD, D.D., in which he described the "lazy homeless" along with other bigoted language.

On the way home to Santa Cruz, we went to Loaves and Fishes, a church-run service organization for the homeless in Sacramento. Loaves and Fishes is sort of an oasis where homeless folks linger near their vehicles or sit against the building fronts. I met a graceful and dignified homeless woman named Carolyn, who shared with me this passage from her Bible: "You shall love your neighbor as yourself." I made a mental note to call Bishop Turrell with that one.

Robert and I began this trip feeling very isolated in our struggle with the City of Santa Cruz to modify or repeal its punitive Camping Ban Law. Many times it had psychologically felt as if we were alone in our outrage and opposition to how homeless people are treated in our community.

While in virtually every city we visited, homeless people were victimized by punitive laws restricting such activities as sleeping on public property, in a vehicle, or panhandling. Yet these laws were regularly violated and publicly opposed by the homeless and homeless activists everywhere. Each group felt isolated, as if they were the only city in the nation with anti-homeless laws. Each opposing group felt alone in their struggle to oppose the criminalization of homeless people.

Yet we found like-minded individuals and groups in every city we visited. There is a force of like-minded people who "get it." Homeless rights are the civil rights issue of the '90s. What is now needed is for these like-minded people to find each other, support each other, and turn the tide of hate away from the homeless and work towards a society in which all citizens benefit. It's only a matter of time.

Contacts on the Oregon Homeless Trail:

John Statler, Medford: by e-mail Statle@wave.net or (541) 770-5524

Peggy Thomas, Oregon Human Rights Coalition, Eugene, (541) 688-3432

Bridget Reilly, Tom Musselwhite, Project Recover, *Oikos,* at (541) 687-2438

Wayne Ford, Charles Gray, Homeless Action Coalition, Eugene, 485 Blair Blvd. (541) 344-2363

Jenny Nelson, Sisters of the Open Road Cafe, Portland, 133 N.W. 6th Ave., (503) 222-5694

The Burnside Cadillac, Bridge School, Sharon Pearson, Portland, (503) 228-5657

Rob Justus, JOIN, 1131 S. Oak in Portland, (503) 232-2031

DEATH IS CHEEPER

by Michael Sheridan

Someone found Hanks body on Monday
He left it there. He is dead.

I knew this would happen.

On Friday we talked, in sunshine.
He said he'd been in hospital for six days.
He'd had a cerebral hemorrhage.
He was woozy. Lucky to be alive.
They did an arteriogram.
His thigh still hurt around the femoral artery
where they inserted dye.

He was living in a trailer,
at a temp Xmas tree lot on Shattuck Ave.

I was glad for him to be out of the cold.
A freeze killed all the trees on Telegraph last week.

He said he went out one morning
to pick xmas trees that fell in the wind.
Sudden blackout. No pain.
That's how strokes happen.

I told him to be careful on the streets.
He had lost his sharp senses.

He was floating on the edge of life.

Wendy could get him SSI now.

Sunday night someone caught him off guard,
bludgeoned him to death on the UC campus.

Thousands of men, mostly men, will die
on the streets of America this year,
and next year, and last year.
It happens every year for as long as I can remember.
No one pays much attention.
A dozen homeless are murdered each year
by upright citizens.

These deadmen are part of Americas statistics…

My father was beaten to death in an alley,
for his shoes.

Their lives are statistics, their deaths, statistics.

Progress built a blockbuster video store
where Hank had his stroke.

These men die on the streets,
in alleys, in hovels, county hospitals,
blue light missions, flops, garages, bars, jails.
Die anywhere.

Most Americans don't go to these places,
don't inquire about these men.
Don't like seeing or thinking about them.
Don't like paying for their survival.

Cheaper to dispose
of bodies, than pay tribute to the living.

Easier to pretend they don't exist.
EASIER WHEN THEY DON'T EXIST.

Hard to listen, get to know them.
They have sardonic
stories to tell about America.
They have a love hate relationship with America.

Talked with Hank several times last year.
Watched him change, grow softer.

He spoke about learning from native Americans,
returning to natural ways.
He spoke of living by sharing.
He spoke of people standing up
to force — ignorance. The need for it.

LIFE IS CHEAP IN AMERICA

He wanted to get together with a few people
to share..... live closer to earth.

Never made it.



Never went to welfare-SSI (too proud).
Too independent.
He hated the social economic scumming.
It's onerous to eat humble pie from
something you hate.
You learn to do without, and suffer.

We talked about the revolving door.
How they never ask men
what they really see or think
feel or want and respond sincerely.

So tens of thousands languish … die,
year in—year out.

Govt. doesn't learn.
It's cheaper if they just go away … die.
Govt. doesn't care.

Many of these men are so fedup with
the lifeless reality and dim fantasies of America
they would rather stay drunk or die
than be a productive part of it any more.

Besides most of them can't work much, so let them die.

In 1960 1 saw over ten thousand men
sleeping on the sidewalks of NYC.
They are still there, more.
Their sleeping out, their rummaging,
their deaths tell everyone America has gone sour.
Their lives … deaths cry out for new nation.

Hank had a dog named Sam.
Sam had a Sioux name too.

Hank fell in love with a woman named 6'4".
He gave her a bottle of champagne.

Hank broke into the Berkeley Inn.
He was arrested along with three others,
in an effort to get govt. to respond to need.
But then it burned down.
The homeless set up a campground there,
and got run off by police.
Today it's an empty lot with an iron fence.
The homeless sleep under houses … in the bushes.

Hank ate at the quarter meal.

He drank to forget everything.

He stood up against bad cops.
Stood up for people.
Got into fights.

He worked most of his life.
Served time in Vietnam.
Gave of himself when he believed in America.
America dumped him
like millions of others when they're no longer useful.

Hank was intelligent, sensitive.
Hank was not a petty criminal or hustler.
He was not a malicious or bitter person.
He wanted a peaceful loving world
which doesn't exist.
He gave part of his life
to the spirit and freedom
and homeless of Berkeley.

sour brew of man

by Eileen Corder

she said human being
human being
as if it were the name of her lover

and from the sidewalk
you raise your empty cup to me

she said help me
help me
as if it were the name of her lover

and in a toast
you raise your cup
to the prosperity of man
to our love
for all that is alive

The Dust of Shelter Past

by Claire Burch

Miss White is black
and I am white
James Baldwin said I had back dues
Jimmy whose back dues we choose?
Let's be here at the Amen Corner
Nobody knew your Name.
Lost my notes of a Native Son
Milktrain's gone too long
Remember when I took the picture of you
at eighteen?
Too many years a million years ago
you said goodbye, then you said hello.
We hung out awhile
If Beale Street Could Talk
Lost the month's rent for Giovanni's Room
Nobody knew your Name.
Another Country — The Fire Next Time —
lost my child on a grey slave ship
Jimmy you the same.
The Price of the Ticket, No Name in the Streets,
Just Above my Head, The Amen Corner Too
A Rap on Race with Margaret Mead
Jimmy what's new?
Too many years.

Later you had fame
Malcolm and Medger and Martin died
Now Jimmy you the same.

And what if yes is no and will be
always until the dust of shelter past
drifts broken on the memory of some holiday
indoors, with the warm smell of something roasting
and clean blankets and a toilet only your own family
uses, and a dream of backyards?

To multiply on the planet is to divide now
too many of us sitting on the ground
all we own in backpack and shopping cart, waiting.
Land's end outside Cody's bookstore
spare changing for quarters for
Four thirty dinner at the food project.

Our toothless smile reminds you of tomorrow
And your own dental bill yet unpaid.
Hopping on my one leg i ask you sweetly
Help! Help me! Help us! Help heaven
to rain log cabins, one for each of us.
Where is the Homestead Act now that we need her?

More lives than a cat,
I always had trouble with boundaries.

yawn twice trembling while we cross
the street? the line? the bar? to find a world
not there when Jimmy wrote, and tell new love
of twenty years (cold hands, warm heart)
small whisper.

Good night sleep tight in the morning light
to do what's right with all my might
God bless Benjamin Franklin, Franklin stoves
TVs, CDs, pudding and pie.
Don't cry honey, don't cry
Don't cry children, don't cry.

The Lost Children of the Poor

She is terrified CPS will take her baby at birth if she goes to Dominican Hospital. No public agency in Santa Cruz has provided housing for her during her pregnancy, yet she certainly risks losing her baby if she is unhoused.



Art by Christa Occhiogrosso

from page one

baby up in the nursery, and Tama gave her consent. Tama had told the labor nurse she intended to breast feed her baby, yet after the birth, the nursing staff fed the baby a soy-based formula.

Ruth Highbarger, an active member of the LeLeche League comments: "Because meconium was present at the birth, indicating some distress, it is all the more reason why the child should have been offered the breast early on. It is so typical of hospitals to completely disregard the wishes of the parent regarding his or her expressed desire to nurse their child. Early nursing is critical for the mother and the baby for both physical and emotional reasons."

As a woman using Medi-Cal, Tama's choices were even more limited. As all the later events revealed, Tama's daughter had suffered an allergic reaction to the soy formula, which Dominican personnel, Dr. Lenz, and CPS dubbed "symptoms of withdrawal." When the formula was changed, the symptoms went away.

CPS placed the baby into custody of Tama's father. On February 7, Tama and Gideon had their baby returned, and the case was closed. Tama had agreed to a service plan with home visits by the county health nurse and counseling at The Parents Center. While these seem very reasonable measures, there are reports of information obtained at these sessions turning into more charges by CPS against the women receiving the counseling.

Tama and Gideon knew that if they were still homeless when the baby was born, they greatly risked losing their child to CPS. But Tama was able to find housing, a modest one-bedroom trailer with a kitchen, shower/bath, electricity, and heat in a legal park connected to the sewer system. She thought she was home free.

But a week before Tama delivered, a neighbor at the trailer park came to her. "Be careful," she warned. "Watch out for CPS. They come here a lot. They took my baby away." Although she was haunted by the woman's words, Tama discounted the danger. "I thought there must have been some reason why they did it to her."

ANOTHER CHILD IS LOST

In Heather's case, her inability to wage a lengthy, frustrating, and expensive court battle effectively ensured the outcome. Another child had been "placed" in the foster care system, and effectively removed from the love, care, and protection of her birth mother. Another child under government control and at taxpayers' expense. Another child from which Child Protective Services receives $122 a day for the burden of "having to care for the children of parents who won't or can't."

Heather arrived with her aged and dying mother, and her 80-year-old father, to visit her newborn daughter for the first time. CPS worker Valerie Warner came out and told Heather there would be no visit because the foster mother had called and told her Heather had threatened to kill her baby at the visit. Heather, angry at this vicious lie, rose and loudly protested. "I said no such thing!" she yelled. Valerie Warner disappeared behind a door, and reappeared with uniformed police officers armed with guns. "Here I was, still weak from the birth, with my mother who had had three double-bypass heart operations and was actually dying, and my 80-year-old father. And they acted like we posed a threat to them," Heather recounts. The visit was canceled. Heather's mother died a few weeks later, having missed her only chance to ever see her granddaughter.

Kathleen (not her real name) is homeless and pregnant. She is due any day. She is terrified CPS will take her baby at birth if she goes to Dominican Hospital. No public agency in Santa Cruz has provided housing for her during her pregnancy, yet she certainly risks losing her baby at birth if she is unhoused. The Santa Cruz camping ban law outlaws living in a vehicle, putting pregnant, vehicularly-housed women at risk of ticketing, arrest, and making them targets for CPS "removals."

According to Santa Cruz paralegal Richard Harrington, "It is a well-known fact that most impoverished people, having few other attachments such as the wealthy do, often shower love, attention, affection and devotion upon their children, making them among the happiest of children. It is the acme of sadistic, fascist cruelty even to try to take what these people have away from them, or to have social workers try to make them feel guilty for wanting to preserve what they have that wealthy people often lack."

Lisa Ann, a street musician and jewelry maker, has lost a son and a daughter to the CPS system. What is peculiar about Lisa's case is that her first baby was taken at birth 12 hours after a Cesarean section at Dominican Hospital, with no allegations of neglect or abuse ever charged.

The official reason was because she tested positive for marijuana at birth. A more likely scenario is that her wealthy, estranged father neither approved of Lisa's countercultural lifestyle, nor supported her raising a child. He and his childless wife early on showed great interest in getting Lisa's baby. Shortly after Lisa's infant son was "removed" by CPS, he was "placed" with Lisa's father and stepmother, over Lisa's repeated and sustained objections.

Then, in the summer of 1995, Lisa gave birth to a beautiful baby girl named Star. Lisa and her husband carried Star everywhere, and she cooed, smiled and rarely even cried. Lisa was living in a camper then. Her baby was well fed, clothed, and diapered. But when Star was four months old, as Lisa held her in her arms, she was surrounded and detained by police in the parking lot of Union Grove Music. Shortly thereafter, a CPS worker tore her baby out of her arms saying only, "Santa Cruz CPS has a prior interest in the baby." The late Judge Black later sanctioned the placement, stating: "Because the first baby was taken, they could take the second baby."

Last February 14th, Commissioner Charlotte Cloud ruled to terminate Lisa's parental rights to her son. Lisa was stunned to be told a major reason was that "no mother-child bond existed." "I was never allowed to have a relationship with my son," she said. "He was stolen at birth."

A SHIELD OF SECRECY

Child Protective Services works behind a shield of secrecy. Families are not allowed to see their files; court proceedings allow no witnesses and are not public. No tape recordings of the proceedings are allowed. In most cases, the mothers are not even accused of a crime, hence, have no right to a public defender, to a jury trial, or even to face their accusers.

According to Dan Brennan, a father who is fighting to regain custody of his daughter in the Santa Cruz Family Law System, CPS has no motivation to find these mothers to be adequate. "It creates a conflict of interest for them," Brennan said. "As long as the child is placed, that agency receives funding for that child, $122 a day. They pay a typical foster mother $500 a month. The rest of the money can go to pay their salaries, office furniture, phones, or to hire new employees to go and ferret out more 'abuse.' I believe it is now $47,000 per child CPS gets if they can declare a baby adoptable.

"The Bill of Rights guarantees a quick and speedy trial, the right to cross-examine our accusers, that the punishment must fit the crime, and that one is innocent until proven guilty. I believe that in the last 10 years, we have seen all of these rights seriously eroded. CPS operates under a veil of secrecy. I believe all their records should become public."

Lisa Ann boldly asserts, "They conduct their proceedings in secret because illegal things are being done. If the public knew what they were doing, they would be outraged." Melissa Berrenge, PhD, a CPS-approved psychologist, wrote an extensive psychological evaluation of Lisa Ann. She actually penalized Lisa for scoring rather high in math. She called Lisa "paranoid" because she stated she didn't trust the CPS and feared they would take her baby. Judges rarely read these Psych-evals anyway. They just skip to the page with the expert's conclusion on it. And despite the lack of evidence, the conclusion recommends further state interference.

How big is Child Protective Services of Santa Cruz County? Reading the Santa Cruz County budget can be a daunting experience. The 1996-97 budget reports CPS receives $1,876,450 from the state and $1,465,762 from the federal government. According to David Silva, a retired county welfare worker, "The county typically budgets more than is requested. If, at the end of the year, the money has not been spent, it must be returned. This provides a built-in incentive for CPS to go out and get more cases."

At this writing, Lisa's daughter Star is in a foster care home, and Lisa must fight to even be allowed to visit Star, who is now 19 months old. Lisa sold her camper for badly needed funds. She was later told the baby would have been returned to her, if only she had not sold her camper.

Heather Hanson, her face haggard, her demeanor weary, shuffles between motels, shelters, the couches of friends, and sometimes the street. Gone are her dreams of going to college, of reuniting with her children, or even of being happy again. She is filled with anger, depression, and grief. Who could blame her?

Gov. Pete Wilson, when confronted with accusations that massive AFDC cuts would cause mothers to be unable to provide for their children, replied that "...welfare mothers really have a responsibility to a child and to taxpayers," and that giving up a child they don't have the means to support might be best for both the child and for taxpayers.

According to Richard Harrington, "Our Supreme Court has ruled that the most fundamental of these basic rights of liberty is the right of people to sire, to bear and to raise their own children as they see fit unless any reasonable person would say they were clearly being abusive or neglectful towards their children's rights.

"A concomitant right is the right of the children, again apart from clearly abusive or neglectful situations, to know, to be with daily and continuously, and to be raised by both of their own parents with all their faults and inadequacies."

While this is the law of the land, CPS has its own law. In an official statement reminiscent of Nixon's refusal to give out information on public agencies "for reasons of national security," CPS maintains its secrecy "to protect the children."

But in a system where there are no checks and balances, where each placement financially rewards the placers, no baby is safe, and no mother, especially if she is poor or homeless, can give birth without fear of the agency whose stated purpose is to protect and serve her children.

IS IT LEGAL FOR CPS TO TAKE THE CHILDREN OF HOMELESS MOTHERS?

Is it legal for Child Protective Services to take a child solely because the parent is homeless or under-housed? According to Linda Lemaster, Chair of the Santa Cruz Commission for the Prevention of Violence Against Women and long-time welfare rights advocate, the answer is no. At least not legally.

Lemaster explained: "California made an out-of-court agreement with the Western Center on Law and Poverty's lawyers which led to our state's AFDC Homeless Assistance program. This program provides for security deposits to AFDC-eligible families who are homeless. When AFDC Homeless Assistance was created to prevent the lawsuit's going to court, California's Department of Social Services was admitting to their habit of seizing children from their parents solely because of homelessness. The State, in making this backroom deal, also promised to cease and desist tearing families apart where homelessness is their only excuse."

In many cases, a family in crisis could, with a little support, resolve the crisis and stay together. A family at risk of homelessness often just needs help with housing, but CPS doesn't help houseless families find homes. They "remove" their children and place them in foster homes as a matter of public policy. In virtually every case, this is done to the detriment of the family and at far greater public expense.

Tama found a clue as to why CPS had picked her out: "I saw the mobile home park I now live in mentioned in a brochure the County gives out, listing services for homeless people. The brochure names food services, where to get clothing, counseling, etc. Under the section marked 'Shelters' is our trailer park."

Undoubtedly, in some CPS file which neither Tama nor any other member of the public will ever see, under housing, the worker has written "lives in a shelter."

Anyone with complaints involving Child Protective Services of Santa Cruz should contact the Santa Cruz County Women's Commission at (408) 454-2772, attention Rita Flores.

Payments On My Dreams

by Shirley Grant

Once I lived in the Suburbs
Insurance was my line
My wallet it was packed with credit cards
I got tired of the Rat Race
one day I just resigned
Now I'm in the Tenderloin
and living Hard

I had to pay the house note
I had to pay the tax
I had to squeeze the eagle till he screamed
Now I'm asking for a Handout
I'm asking for spare change
'Cause I can't keep up the payments on my dreams

Here I am out on the Street
I don't buy nothing but time
I've got nothing to win and nothing to gain.
From the poolhalls
to the pawnshops
Hiding from the Prowlcars
Last night's wine still working on my brain.

Berkeley is Her Home

The other day, a woman who likes the 1997 Telegraph calendar paid me a friendly visit at my vendor's table. She said she'd been having a happy experience getting signatures on it from people in the calendar. Her 10-year-old daughter ("L.S.L.") enjoyed meeting many of the profiled street people and offbeat-and-proud people, and wrote this poem inspired by the calendar.
— B.N. Duncan

My Home and My Town

by L.S.L.

The most amazing thing about Berkeley
is the people.
On Telegraph Ave.
there are a lot of neat people.
There's Debbie Moore
who thinks people should be seen and
doesn't think women should be hidden,
"Smiley" is real keen.
On Campus "Hate Man"
has a drumming circle,
and there is Campanile too.
On Solano Ave.
Hari Haran collects donations
and Indian Rock is nearby.
Down at the Marina
staff are nice to hang out with
I live on Jefferson Ave.
and Modoc Ave. too.
I love Berkeley it is very cool!!!

Berkeley Poor Laws

from page two

Maio has supported anti-homeless legislation. Letters and phone calls urging Maio to support civil liberties for the poor may well decide the extent to which Berkeley modifies its current anti-homeless stance.

Social Services Critical

One of the justifications most cited in support of Berkeley's anti-homeless laws is the crime committed near Automatic Teller Machines (ATMs). Claiming that panhandling near ATMs at night is a cover for such crime, the council went on to pass tough laws against *any* panhandling at night, a position which the ACLU has challenged as unconstitutional.

Kriss Worthington, elected to the council last November, said that, "It is a mistake for any city to outlaw social, political or group soliciting for causes via a blanket ban on nighttime solicitation." Under Berkeley's current statutes, "an innocent person begging with a cup would be just as punishable as an aggressive panhandler threatening people," he said. "I oppose criminalizing people asking for help."

Worthington noted that politicians in many cities see attacks on the homeless "as an issue to galvanize support for themselves on the pretense that they're doing something about crime. But there is little or no evidence to support the idea that criminalizing poverty, joblessness and homelessness has any significant impact on crime."

Worthington went on to say that in dealing with panhandling, "there are a variety of tools that are far more effective." There is considerable support both in the community and on the council for continuing what Worthington called the "daytime services."

In particular, he noted that expansion of services around alcohol abuse is critical. "Alcoholism is the single biggest drug problem that affects the quality of life. If you are an alcoholic and go to the City of Berkeley and ask for recovery help, we just don't have the capacity to meet the need. There's not enough detox, not enough treatment on demand."

In the Anti-Poor Vanguard

Berkeley, for decades a bastion of progressivism, has ironically been in the vanguard of legislating against homeless and street denizens in recent years. Former Mayor Loni Hancock and current Mayor Shirley Dean have championed attacks on the city's poorest residents under the guise of "quality of life" and "getting tough on crime."

Other cities are increasingly following suit, particularly since a Court of Appeals decision validated laws against sitting on sidewalks in Berkeley and Seattle. For example, a battery of homeless laws are now being enacted in Los Angeles.

"What is happening in L.A. is a direct result of what Berkeley did," attorney Neumann said. Even if Berkeley repeals its laws, he added, "this will not affect the legal precedent. The evil that we did lives on after us." With Berkeley having blazed the trail, opportunist politicians across the country are climbing on the bandwagon. "What we were afraid of was, a momentum gets built by passing such laws, by cities that have mayors and councilmembers who want to posture," he said. "The more this gets done, the more cities will go this route."

Repealing Berkeley's Laws

Perhaps Berkeley will set a further precedent by becoming one of the first cities to repeal these harsh and discriminatory laws. The four liberal councilmembers — Shirek, Breland, Worthington and Spring — have said they will support repeal of at least some of the provisions.

Convincing a fifth councilmember to join them, and persuading all five to repeal all legislation against people who are forced to spend their lives on the street, is a task facing every citizen concerned with basic civil rights.

Action Alert

Ask City Councilmember Linda Maio to vote to repeal the anti-poor laws.
Call Maio at: (510) 644-6359;
or write: City Administration Building, 2180 Milvia St., 5th Floor, Berkeley, CA 94704

No Sit, No Lie, No Room

from page five

from its property taxes on the homeless, but directs just $60,000 a year from a federal grant to help Urban Ministry provide 20 cots a night for the more than 150 needing shelter.

❖ In the last year, the number of people sitting on University with signs asking for help has slowly shrunk. Most of the time it's hard to find anyone panhandling. The street people tell me that's because the new police presence has meant quiet pressure to move along.

❖ A set of perfectly reasonable proposals by the city-appointed Task Force on Homelessness, of which I and nine other citizens were members (only one of whom is unhoused), has been gathering dust on the desks of city officials after a year's work by the task force.

❖ The only action taken so far was for the city to set up a program that gave half-time, $9-an-hour jobs to eight homeless persons chosen from among more than 50 applicants. The program was so successful it was trumpeted in the local press. City councilmembers were interviewed on several TV stations and radio shows. The lucky eight got take-home pay of about $152 a week for working half-time, but they were enthused about the new hope they felt. After all the self-congratulations were broadcast, the program was dropped in January when the $26,000 assigned for it had been spent.

❖ At the last budget process, the city council put approximately $5 million into its contingency fund, setting aside about $18 million in case Palo Alto's prosperity should fall on less favorable times. Nothing was available to improve or even just continue a pitiful, inadequate program to employ the poor to help keep the city's downtown clean.

On March 18, supporters of street people and the unhoused intend to make it harder for the city councilmembers, decent liberals all, to ignore the suggestions of their own task force. We will be asking not only that the No Sit/No Lie ordinance be defeated, an issue still very much in doubt, but that the city spend some of its new tax income from the sudden popularity of the downtown area to deal with the needs of the homeless.

Down at the Farm

from page six

By far the most people in jail are our youth. Of 200 people at The Farm, at least 150 were age 25 or younger. Santa Cruz County incarcerates roughly a thousand people at The Farm (medium security). There are over 400 inmates at the Main Jail, in a facility made for less then 350. F Dorm is a cellblock that had 14 cells crowded with 21 individuals. While I was there, it went up to roughly 35 folk. Eighteen bunks are bolted to the floor outside the cells intended for sleeping. By jail regulations illegal, but it's done all the time: headcounts climb up to 56 at times.

From what I see, a majority, maybe two-thirds, of the prisoners are Spanish-speaking, in a county where Latinos comprise a quarter to a third of the population. As with the youth incarcerated, this makes obvious the patterns of discrimination. County Jail is clearly an institution of population management and control, with incarcerations targeting the young, minority nationalities and society's disenfranchised, including homeless people.

I talked to a young Native American fella about why he was locked up. He went into a store and took some items. He had his bike parked at the door so he could make his getaway. A clerk hollered, "Hey, you gotta pay for that stuff!" But the clerk couldn't stop him as he ran out the door and hopped on his bike. He went riding down Pacific Avenue, slammed into a police car, flew up over the trunk, and landed on the engine hood.

He'll have a hard time raising bail. He's got eight "failures to appear," several for being drunk in public. He was standing outside a restaurant on Pacific Garden Mall drinking. He went inside to use the toilet. The restaurant manager, of course, refused because their facilities were "reserved for customers." He left, went outside, and pissed on a tree. A cop tapped him on the shoulder and wrote him a ticket for pissing on a tree and having an open container. With all his "failures to appear," this fella will be locked up a long time, all for "having to go..."

When he was in court, the judge asked, "You're a veteran, now look at you! What do you have to say for yourself?" He answered, "Judge, I like my whisky."

I asked him why he enlisted, saying: "You obviously know we stand on stolen land. They stole this whole fucking continent. Wounded Knee. Why did you join and fight for this country, this army that did this to the Lakota?"

"I went from Pine Ridge to Sioux City to enlist because I was bored," he answered. "No job, no nothin'. I saw an ad on TV. I went and I passed the test. I wanted to give my little girl something."

Her mom died birthing her. "The GI Bill, for my daughter."

The deputy came to the door and yelled, "Roll 'em up." I was sent to The Farm. In the morning, the guard informs us over the P.A. System that this is the WORK farm and we are here to work. Two hundred prisoners line up at "Tool Time" to get tools. Jailers start giving out weed whackers, rakes, hoes, shovels. They run out of shovels; they don't have enough for 200 prisoners.

Tool Time prisoners start signing out shovel handles with no shovel, five-gallon buckets with no bottoms, then sticks to use as shovels, with a 10-foot-long handle. The prisoners in front of me got a machete; three prisoners got axes. The Deputy Officers, or "DOs," then order us to go pick clovers. Again, WE ARE ORDERED to pick the clovers from this grass field — with axes and hoes and machetes and sticks. Funny this might be, but it's not a joke. This is what they expect us to do. Prisoners wander out to the field, play cards, walk the track, converse in the morning sunshine.

Alternately, we are sent out on work crews. We go out and work for the County at the Brommer Street Public Works Yard or out on the roadways. At Brommer Street, we are ordered to trim some bushes. Broke the hedge trimmer; the handle broke. We're ordered to pull the weeds; the shovel broke. We're ordered to drill 4x4s for sign posts; the drill motor burnt up.

One young fella is told by the County workers to stay at the yard to get work experience. And the crew started bursting out with laughter. "Yeah, you put that on your resume! You'll get all kinds of jobs with that recommendation."

On the road crew we walk and walk, picking up garbage. One day when I was out on the road crew near Watsonville, a young dude walks up to me and asks, "How do I get a job like this?" I answered, "All you gotta do is get convicted."

Life is so good out here that 19-year-olds come up to prisoners on the road crew to ask us for jobs. That is what The Farm is rehabilitating us for. When I was in, a "DO" tells me, "You're in jail now; lose the attitude." Right!

Lighthouse Linda Lemaster contributed to this article

Brown Burns His Allies

from page three

rave about Homes Not Jails at press conferences, and he tried various measures to stop the demonstrations, such as arresting demonstrators on felony charges and then trying to prosecute them. As often happens with such efforts, Jordan's attempts at repression failed and Homes Not Jails got even more attention.

Since 1992, Homes Not Jails (HNJ) had never gone more than three months without a highly visible occupation of a vacant building. By pretending to work with the group, Brown succeeded in getting HNJ to go almost 10 months without such a demonstration.

In late 1995, HNJ occupied a vacant three-unit building owned by the federal government, located at 3250 17th Street in San Francisco's Mission District. The building had been obtained by the Federal Deposit Insurance Corporation (FDIC) through the Savings & Loan scandal of the 1980s and — though quite lavish, with a hot tub and atrium —-had sat vacant for many years. Efforts by Homes Not Jails to get the federal government to agree to convert it into affordable housing were running into a brick wall when HNJ approached Mayor Brown in early 1996.

At a meeting with HNJ, Brown endorsed the idea of renovating the property through the sweat equity of homeless people. Directing his staff to work with HNJ on the project, Brown emphatically said, "I want this building." With this support, HNJ continued to push the federal government to give or cheaply sell the building to the city or Community Housing Partnership, a nonprofit housing developer working with HNJ on the project.

Pushed by the Mayor's Office, representatives from the FDIC finally agreed to sit down and negotiate the disposition of the building, and at a City Hall meeting with HNJ and representatives from the Mayor's Office and Mayor's Office of Housing, a compromise was reached whereby the FDIC would sell the building but structure its marketing so that the expected outcome would be its use as affordable housing. The Mayor's Office of Housing said that it would finance the acquisition and renovation for the HNJ sweat-equity project. With these assurances, the project got rolling.

For the ensuing months, HNJ's energy was focused on this building. People who were homeless took crash courses in housing development and weeks were spent on every aspect of the project, ranging from engineering and architectural inspections of the property to rough blueprints to operating and maintenance pro formas, as well as finalizing the logistics of sweat equity and tenant management.

When these analyses and plans were all worked out, the Mayor's Office of Housing sought and received final authorization from Mayor Brown for the project in April, 1996. With the FDIC's sales date set for mid-July, the final step of preparing the multi-volume bid package required by the federal government was begun.

About a month prior to the bid, though, the Mayor's staff began to express concern about the project. Most specifically, Brown was placing an affordable housing bond on the November ballot and landlords were talking about opposing it.

The lesson is that Willie Brown does not care about poor people or ending homelessness or solving the city's affordable housing crisis. He is a man who believes in the political process for the sake of increasing his own power, nothing else.

Knowing that the city's landlord community despised Homes Not Jails (because they felt it lacked respect for private property and because of its close ties to the Tenants Union), Brown was apparently concerned that the HNJ project would become a political football in the November elections.

Because the compromise negotiated with the FDIC was expected to enable acquisition of the property for half of its market value, the worst-case scenario seemed to be that the city would finance the acquisition but hold up the project until after the election. So everything continued full speed ahead. Hours and hours were put into finalizing the hundred-plus-page bid until it was complete, minus one page — the letter from the Mayor's Office of Housing formally committing the funds, as had been promised.

Days before the bid was due, Brown's concerns were raised again, but the bargain basement price for acquisition was unquestioned. The morning the bid was due, though, the Mayor's Office of Housing called with the bad news: after talking with Brown, they weren't going to finance the project.

Without the City's bid, 3250 17th Street sat vacant for the next year. On Thanksgiving of 1996 — one year to the day after the first occupation — Homes Not Jails again occupied the building for a number of days before being arrested for wanting to live there.

What are the lessons to be learned here? Not to trust politicians is a lesson I learned 20 years ago when I was part of a progressive coalition which elected Michael Dukakis as governor — only to see him then slash welfare and social service benefits. It's good to be reminded of this every few decades, though.

An important lesson here is that Willie Brown does not care about poor people or ending homelessness or solving the city's affordable housing crisis. He is a man who believes in the political process for the sake of the political process, not the ends it can bring or the problems it could solve. Brown knows it is important to tell constituent groups that he wants to end unjust evictions because that will win votes. He also knows that if he acts on those promises, campaign donations from the wealthy will dry up. So he's become adept at playing off both sides while simultaneously increasing his own political power base — for the sake of increasing his own power, nothing else.

What's more is that he's very good at it and can fool even the most cynical and skeptical. He fooled me for almost a year, but I count myself lucky because I learned my lesson early.

Ted Gullicksen is the head of the San Francisco Tenants Union and a cofounder of Homes Not Jails.

GA Cuts

from page two

such people have "Major Functional Barriers to Employment." Despite the difficulties people may have overcoming these barriers, the County will be giving them only six months of benefits in a 12-month period.

Not everybody faces a time limit. For people found to be "Currently Unemployable" due to physical, mental, or emotional incapacity, or "Aged" (60 years old or over), there is no time limit on receiving GA.

All recipients, including those "Currently Unemployable", must continue to apply for other types of income, attend treatment or therapy programs, and obtain medical verification of employability. All except the Currently Unemployable, including those 60 and over, must continue to participate in Employment Services, or face automatic cutoffs for six months.

Why is welfare everywhere under attack?

We are part of a team of attorneys and law students providing legal assistance to welfare recipients at the Berkeley Community Law Center. Our experience and analysis demonstrates that one primary reason for this continuing trend of welfare cutbacks is that recipients aren't vocal enough. In the past, direct action by poor people created and preserved welfare. In the 1930s, desperate people besieged welfare offices demanding help, whether the offices had the money or not. In response, local officials begged the federal government to help. Nowadays, however, it has been very quiet. Government will continue to cut until people protest, we predict.

Linda Shih, a law student at the Berkeley Community Law Center, has several suggestions if you are concerned that your benefits may be cut off.

1. Every chance you get, tell the SSA about all the reasons you may have trouble getting or keeping a job. SSA has to talk to each person to find out how employable they are and which time limit applies. The more it knows about your problems, the better determination it will make. Tell them if you:

- ❖ have trouble reading English;
- ❖ are homeless;
- ❖ have mental, physical, or developmental problems;
- ❖ have any other problem that makes it hard for you to get or keep a job, such as limited education or problems with transportation; or
- ❖ have a drug or alcohol problem. (Note: if you tell the GA program that you have a drug or alcohol problem, you may be required to enter into a treatment program as a condition to receiving GA.)

2. After talking to you, SSA may put you in the wrong category. Maybe it is harder for you to get a job than SSA thinks. If so, request a hearing. You can do this in any of the following ways:

- ❖ Fill out the form on the back of any notice from the GA office.
- ❖ Fill out the blue forms in the lobby at 401 Broadway in Oakland, and put the form in the box labeled "Appeals."
- ❖ Call the Berkeley Community Law Center or the Legal Aid Society of Alameda County and ask for help.
- ❖ Always fill out two copies of the appeals form, and keep one copy for your own records.

3. The Agency may try to cut you off at the end of your time limit. If so, request a hearing immediately.

- ❖ You may possibly be able to get an extension of benefits if you can prove that you've been trying to find work, but have not been able to because there are no jobs.
- ❖ Request the hearing before you get cut off, so that you will continue to get benefits until the hearing.

4. Whenever you think you have a problem, seek legal help from the Berkeley Community Law Center at (510) 548-4040, or Legal Aid at (510) 451-9261, ext. 0.

Sleepcrime Trials in Santa Cruz

from page five

the law is wrong, or the sentence would be too harsh, she or he has the power to "just say no" and vote not guilty, without explaining or justifying the verdict.

Prior to Roth's jury trials, activists hope to extensively flyer the community and the courthouse to inform potential jurors of their right to vote "no" against the sleeping ban through a not guilty verdict, whether he was asleep or not. Roth faces months in jail if found guilty; leafleters may be called jury tamperers.

Activists are encouraged by the successful outcome of the Pat Ring trial in early February. Ring, a high-profile homeless protester, has already won the first of the City Hall Sleepers' jury trials. Last spring, then-Mayor Rotkin got an injunction against the protest that quintupled the possible fine (up to $1000) and added up to six months in jail for one act of sleeping. Ring and others challenged that injunction in a partially successful legal move that reined in police seizure of blankets and stopped Rotkin's drive to lock off City Hall at night to all protest.

In one hearing, Ring was harassed by Bailiff Jim Thurber. Ring told Thurber, a deputy notorious for harassing homeless people in court, "Fuck you." In response to this, Bailiff Thurber pursued Ring outside and assaulted him, then had him pepper-sprayed while in handcuffs. For good measure, Ring was charged with two counts of contempt of court, resisting arrest, and battery on a police officer.

In the trial that followed, public defender Anthony Boles put on extensive testimony about Thurber's abusive behavior in other cases. A key witness was Samuel Stephens, presiding judge in Thurber's court, who testified that finding someone in contempt was his job, not Thurber's. Ring was acquitted on all three charges and the fourth was dismissed. He is now looking for an attorney to sue Thurber for damages.

Ring has two more jury trials slated involving councilmembers at the City Hall Sleepers Protest. In one, Councilmember Scott Kennedy teamed up with police to tear down a "Legalize Sleep" sign posted on a lamppost; Ring is charged with posting the "illegal" sign. In the second, Rotkin backed an anti-homeless bigot harassing protesters and earned a "fuck you" from protester Ring, who was then promptly hauled off to jail for five days for his harsh words. Ring now faces a possible six-months jail term on each charge.

Rotkin is also a key witness in the Sleepcrime case of "Dragonsheart" Daniel Hopkins, cofounder of the City Hall Sleepers' Protest. For the first time in any infraction trial, three City Councilmembers sat in the front row conferring and cheerleading the City Attorney as he squared off against Hopkins, a homeless juggler. Rotkin was subpoenaed to show his leading role in the campaign to crush the protest.

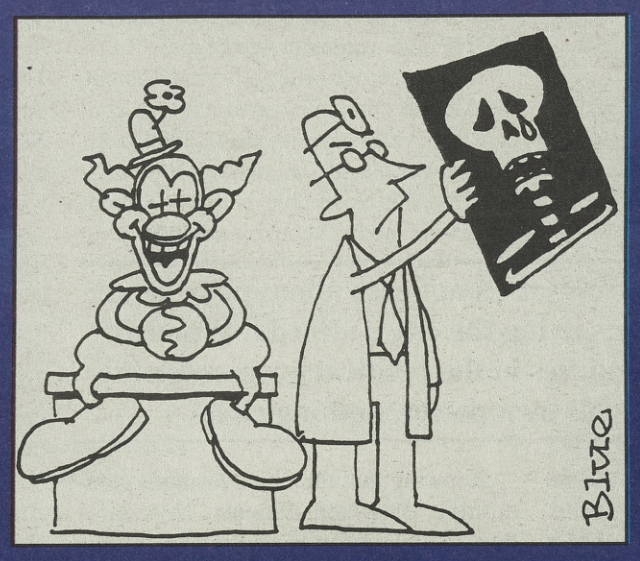
Legal support is limited, but the sheer spectacle of homeless people going to jail for innocent sleep may have an impact on the larger community. As the Winter Armory Shelter closes down and the City Council continues to ignore basic shelter needs for the poor in favor of a NIMBY developer-oriented policy, the sheer pressure of increased misery may provoke renewed protest.

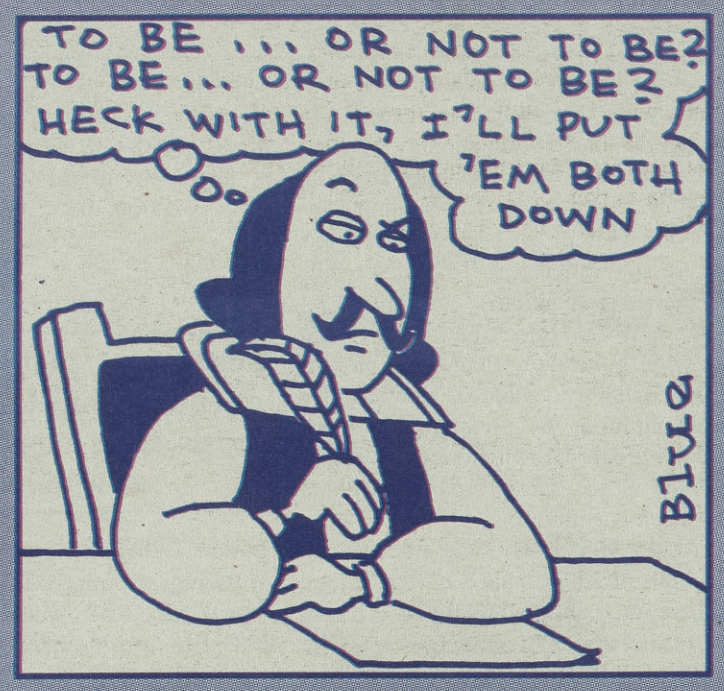
HUFF (Homeless United for Friendship & Freedom) activists have declared that if there is no action on either a campground or the Sleeping Ban by March 1, they will organize renewed protests in downtown Santa Cruz.

BLUE'S EYE VIEW

Reflections from the Ragged Edges

by Blue





Some days you can't get arrested. One December night a UC cop caught me shivering over a University steam grate in the pouring rain. "What's your name?" "Bill Clinton." "May I see some ID?" "I left it at the White House." "If you don't tell me your real name I'm going to have to arrest you." "Lead the way, boss." I must have sounded too eager. "Don't be here when I get back, Mr. President."

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There's hungry and then there's hungry. I was limping down Bancroft one Sunday afternoon, trying not to think about food, as the one free meal of the day was still two hours off. I had only one shoe on; the other foot was wrapped in an old shirt. To even the most casual observer, I was not a picture of prosperity. As I passed the ATMs near Telegraph, a homeless gentleman, sitting on a milk crate eating a hoagie, spoke to me. Crumbs flew from his mouth as he said, I swear to God, "Spare change for some food?"

****

Homelessness is against the law now in Atlanta. Sleeping in a public place gets you a $1,000 fine or a year in jail. Let's see... 20,000 homeless at $1,000 apiece. Gosh, that's $20 million a day! Hope they plow some of that new income back into homeless shelters. It's only fair.

****

We're confused about this Berkeley ordinance against sitting on the sidewalk within 10 feet of a building. Can you sit on a *chair* on the sidewalk within 10 feet of a building? On a box? How about a book? Street sage B.N. Duncan says it depends on the book. "If it's a comic book, they throw away the key, man!"

****

HOMELESS SURVIVAL TIP: I know this one from personal experience. If a guy walks up to you in People's Park and says, "Hey, aren't you the guy who hit me over the head with a chair last night?", never, ever say, "Yes."

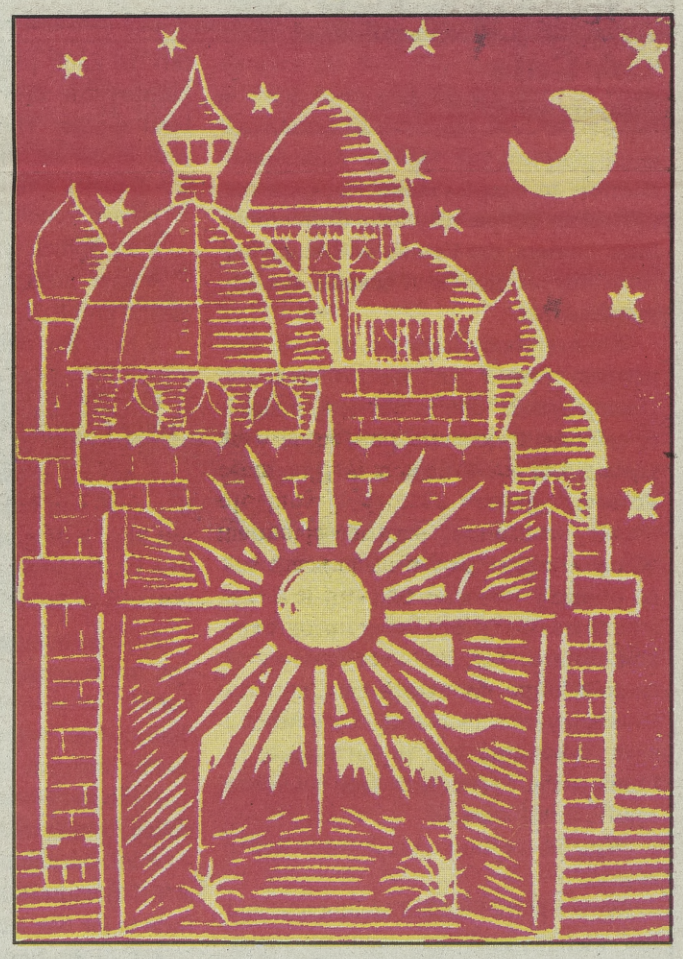
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QUESTION OF THE MONTH: We asked several street people, "Who shot JFK?" Some of their replies: "It wasn't me." "Colonel Mustard with the wrench." "It was that Fuhrman guy." "Damn, I saw the movie but I can't remember." "Your old lady." "Got 14 cents?" "Got 37 cents?" "Hey, aren't you the guy who hit me over the head with a chair last night?"

— "Blue" is Paul Nicoloff

Homeless Greeting Card Project Takes Flight





Homeless Press expands to provide full-time work for homeless people

by Richard 3COM

Editor's note: *The following article was written by Richard 3COM, the self-appointed King of these United States. While he is describing a very real and worthwhile project operated by the Berkeley Ecumenical Chaplaincy to the Homeless, do bear in mind that he does get a little, uh, "overenthusiastic," to put it delicately, and all of us are just a bit afraid to restrain Richard when he is in the throes of "enthusiasm." The rather immodest comparisons to Picasso and Mother Teresa are meant to be taken with a grain of salt, or a truckload.*

But just to assure our readers: Yes, Virginia, there really is a King Richard 3COM.

An energetic new team, headed by Zack Polley, 29, and Richard 3COM, King of Plop, King of these United States and Protector of Life on Mars, has taken over the Homeless Greeting Card Press. Rapid expansion into new markets and new subjects is predicted in the first 100 days.

Forget about Picasso! Forget about Einstein! Move over Bill Gates!

Zack Polley is very talented and idealistic. (Mother Teresa could learn a few things from him.) Zack also plays flute and guitar. His abilities at documenting the Berkeley street scene are legendary. Zack is like Gandhi, except that Gandhi was lousy at flute-playing.

The Berkeley Ecumenical Chaplaincy to the Homeless (BECH) created and has supported the Greeting Card Press for many years. Executive Director Sally Hindman is quoted thusly: "We are delighted to have royalty running the Press. We have a product that will make all other products obsolete."

Award-winning artists will design the cards, as well as homeless people. (Sometimes the homeless people *are* award-winning artists. The life of a true artist is frequently extremely hard.) Imaginative work has been contributed by youthful art student Extra Maat. Although only 21, he is clearly a rising star.

The cards are hand-printed, using a linoleum block press and beautiful colors. Homeless people are trained to run the press, sell the cards, and to design and cut the linoleum blocks. If you have linoleum that you have already designed and etched, and you wish to donate it to the Press for its use, please call.

COVERING THE ENTIRE SURFACE OF EARTH

Instant, complete and endless euphoria comes over many people on this planet when they first see these cards! There is more art in these cards than in all the art museums of the world combined!! In two years, it is hoped that these cards will cover the *entire* surface of Earth (including the oceans) to a depth of 120 feet!!

(Editor's Note: Richard! You're overselling again!)

BECH started the Homeless Press five years ago to create holiday cards. Each year, more than 300 packages of cards have been sold through Berkeley churches, temples and synagogues, providing jobs and building a lot of self-esteem. A little work never killed anyone!

In 1997-98, the Chaplaincy is working with Keystone Community Ventures in planning efforts to expand the greeting card program. Keystone is currently carrying out the feasibility study for the expansion.

Hopefully, the Press can provide full-time jobs for eight homeless people selling 8,000 packages of cards each year. This project will be linked to the work of the Southside Youth Drop-In Center and the Art Studio Project. Other agencies have helped train workers, including the Jobs Consortium and BOSS.

Birthdays, graduation, Mother's Day, Father's Day, sympathy and theme cards will be designed. Theme cards will include cats, dogs, horses, firefighters, nurses, teachers, people in Africa, Asia and Europe, and other subjects. The Press will also produce prints and posters.

The beauty and value of these cards and prints is beyond the comprehension of mortal humans. The cards are undoubtedly more important than the discovery of fire, or the wheel.

The Homeless Press gives thanks to the underwriters and to Rita Wilson for her generous donations and unflagging interest. The East Bay Depot for Creative Reuse is thanked for letting us use some of their materials and advice.

A special thanks is given to Copy Central for donating office and shop space. The shop is located at the corner of University and Shattuck in Berkeley. The wide streets form a type of "tundra" surrounding the shop. The endless automobiles resemble a raging river or a herd of wildebeests, always in motion.

If you have any suggestions, or wish to get a price on a custom card for your business, families or sweeties, please call BECH at (510) 548-0551. You can also leave a message for Richard 3COM at (510) 464-3099.

To help underwrite the Homeless Press, please send donations to BECH, 2345 Channing Way, Berkeley, CA 94704. All donations and purchases are tax deductible.